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Christine Challoner Esq. [282413] The Law Office of Christine Challoner 453 S. Spring St. #1119 Los Angeles, CA 90013 (323) 686-8363 Grant Beuchel Esq. [113327] Attorney at Law 420 S. Šan Pedro Street #311 Los Angeles, CA 90013 (661) 428-7365 7 Attorneys for Petitioners SUPERIOR COURT OF THE STATE OF CALIFORNIA 8 FOR THE COUNTY OF LOS ANGELES 9 THE SKID ROW NEIGHBHORHOOD CASE NO. BS 170257 COUNCIL FORMATION COMMITTEE, an 11 unincorporated association, on behalf of itself [Assigned to the Hon. Amy D. Hogue] and all similarly situated Neighborhood Councils; JEFF PAGE, individually and his 12 official capacity as Chair of the SRNC-FC; VERIFIED THIRD AMENDED 13 KATHERINE MCNENNY, individually and in PETITION FOR WRIT OF her official capacity as Member of the ŠRNC-FC; and DOES 1 through 3, as individuals and in MANDATE, ADMINISTRATIVE 14 MANDATE, AND DECLARATORY their official capacities as members of the Skid 15 Row Neighborhood Council Formation RELIEF Committee, 16 [Exhibits 1-25 and Exhibits 26-57 filed Concurrently Herewith] 17 Petitioners. 18 VS. [Election Matter Priority] 19 CITY OF LOS ANGELES, a municipal entity; THE DEPARTMENT OF NEIGHBORHOOD 20 EMPOWERMENT, an administrative agency; THE CITY COUNCIL OF LOS ANGELES, an legislative body; GRAYCE LIU, in her official 21 capacity as General Manager of the Department 22 of Neighborhood Empowerment; and DOES 7 through 50, inclusive, 23 Respondents. 24 25 DOWNTOWN LOS ANGELES NEIGHBORHOOD COUNCIL, a municipal 26 entity, 27 Real Party in Interest. 28 //

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The following allegations are based on information and belief, unless otherwise specified:

INTRODUCTION

- 1. The right to vote provides citizens a voice within governments that have neglected their needs. Without a voice, distrust between citizens and their government grows and civil society stagnates. Given a vote and therefore a voice, communities can join together and demand from their government the representation and resources they need to rise above their shared predicaments.
- 2. The Skid Row community is a vibrant, and racially diverse community comprised of small business owners, wholesalers, non-profits, activists, and artists. It is also, generally, a lowincome community, that includes the largest homeless population in the United States. At last count, 62% of the approximately 4,633 homeless persons living in Skid Row was Black. (See Los Angeles Homeless Services Authority, 2017 Greater Los Angeles Homeless Count – Data Summary (2017), attached hereto as **EXHIBIT 1**.)
- 3. Local government has long-neglected the Skid Row community's needs, which include permanent supportive housing for its homeless population, clean streets, public restrooms, and readily-available spaces for community gatherings. (See, generally, Alston, Philip, Report of Special Rapporteur on extreme poverty and human rights on his mission to the United States of America, United Nations General Assembly (May 4, 2018) attached hereto as **EXHIBIT 2**.) Nowhere is it more apparent that our criminal justice, health and welfare systems have failed a large portion of our population or that institutionalized racism continues to be a very serious problem in this country, over 50 years after the passage of the Civil Rights Act. (See Id. at pp. 14-15.)
- 4 In December 2016, residents of Skid Row applied to separate from their existing Neighborhood Council, the Downtown Los Angeles Neighborhood Council ("DLANC"), to better address long-standing suffering within their community. Neighborhood Councils are City-certified entities that are empowered to take formal, albeit advisory, positions on local legislation, as well as receive funding for community programming. As such, Neighborhood Councils can be a powerful tool for communities wishing to pool their resources and effectively participate in civic life. One component of Neighborhood Council's advisory authority is the ability to submit letters of support for development projects proposed within their boundaries, a prerequisite to City approval of those

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projects. It is this latter ability, as well as the community's alignment with advancing the interests of its low-income residents, that brought the will of downtown development interests to bear on the Skid Row separation effort.

- 5. Working together, in the months leading up to the vote on Skid Row's separation, these development interests -- including DLANC, its lobbyists, and even the City of Los Angeles itself created new laws and broke existing laws, all to intentionally and unconstitutionally suppress the vote of the Skid Row community. In the final vote count, the Skid Row community lost by only 60 votes.
- 6. Since Skid Row's defeat, the City and County of Los Angeles have rapidly mobilized to unconstitutionally criminalize and force institutionalize the Los Angeles homeless population, in an effort to clear the streets of Los Angeles for more profitable development and the 2028 Olympic games. (See, generally, General Jeff, LA City and LAPD Call "Arrest-Homeless-First-then-Provide-Services" a Success... Homeless Angelenos Disagree, CITYWATCHLA.COM (June 11, 2018) attached hereto as **EXHIBIT 3**, Chandler, Jenna, LA 'sterilized' its streets for the '84 Olympics – how will it treat the homeless in 2028?, LA.CURBED.COM (July 12, 2018) attached hereto as **EXHIBIT 4**, Reves, Emily Alpert, Garcetti says LA can resume disputed ban on overnight sidewalk sleeping, THE LOS ANGELES TIMES (June 22, 2018) attached hereto as **EXHIBIT 5**, and Etehad, Melissa, L.A. County urges state to expand definition of 'gravely disabled, THE LOS ANGELES TIMES (January 30, 2018), attached hereto was **EXHIBIT 6**.) Meanwhile, there has been no accountability for Proposition HHH funding, which voters specifically approved for the purpose of building permanent supportive housing for the Los Angeles homeless population. (See, generally, All Show and No Substance: Proposition HHH First Year Performance Assessment LOS ANGELES COMMUNITY ACTION NETWORK (November 2017) attached hereto as **EXHIBIT** 7.)
- 7. What has been missing is a City-certified voice that is capable of speaking on behalf of and rebuilding trust with Los Angeles' most vulnerable population, while addressing the issues that population faces with wisdom and compassion. Accordingly, Petitioners Skid Row Neighborhood Council Formation Committee, an unincorporated association, Jeff Page, an individual, Katherine McNenny, an individual, and DOES 1 through 3 (hereinafter, collectively,

"Petitioners"), hereby petition this Court for a writ of mandate pursuant to Code of Civil Procedure section 1085, for administrative mandamus pursuant to Code of Civil Procedure section 1094.6 and for declaratory relief, in order to reestablish the rule of law, award the SRNC-FC its well-deserved Neighborhood Council, and secure its community the voice and resources they need, as follows:

JURISDICTION AND VENUE

- 8. This Court has jurisdiction under Code of Civil Procedure §§ 525, 1060, 1085, and 1094.6.
- 9. Venue in proper in the Superior Court of Los Angeles under Code of Civil Procedure §§ 393 and 395 because Respondents in this action are public entities situated in the City of Los Angeles and because the acts and omissions complained of in this Petition took place in the City of Los Angeles.

PARTIES

- 10. Petitioner Skid Row Neighborhood Council Formation Committee ("<u>SRNC-FC</u>") is now, and at all times herein mentioned, was an unincorporated association, operating within the boundaries of the City of Los Angeles, State of California.
- 11. Petitioner Jeff Page is now, and at all times herein mentioned was, an individual residing in the City of Los Angeles, State of California, a stakeholder in the Election, and founding member of the SRNC-FC.
- 12. Petitioner Katherine McNenny is now, and all times herein mentioned was, an individual residing in the City of Los Angeles, State of California, a stakeholder in the Election, and a founding member of the SRNC-FC.
- 13. Petitioners DOES 3 through 5 are now, and at all times herein mentioned, are individuals residing in the City of Los Angeles, State of California, stakeholders in the Election, and members of the SRNC-FC.
- 14. Respondent City of Los Angeles ("<u>City</u>") is a government entity, created and existing pursuant of the Administrative Code of the City of Los Angeles to enact ordinances subject to the approval or veto of the Mayor, order elections, and prescribe duties of boards and officers not defined by Charter.

- 15. Respondent Department of Neighborhood Empowerment ("<u>DONE</u>"), is a duly constituted administrative agency created and existing pursuant to the Administrative Code of the City of Los Angeles for the purpose of empowering localities through local representative bodies.
- 16. DOES 6 through 50 are now, and all times herein mentioned in this petition were in some manner responsible for the acts and omissions that gave rise to this Petition.
- 17. Real Party in Interest Downtown Los Angeles Neighborhood Council ("<u>DLANC</u>") is a representative body, created and existing pursuant to the Los Angeles City Charter and the Los Angeles Administrative Code.

DEFINITIONS

- 18. <u>Citywide System of Neighborhood Councils ("CSNC")</u>: In 1999, amidst rumblings of secession by several underrepresented areas of the City, Los Angeles voters approved a new City Charter. The new Charter established a "Citywide System of Neighborhood Councils" "to promote citizen participation in government and make government more responsive to local needs" including "the many diverse interests in communities." (*See* Los Angeles, California, City Charter § 900 *et al.* (2017) attached hereto as **EXHIBIT 8**.) The new Charter created the Department of Neighborhood Empowerment and tasked it with promulgating regulations known as the "Plan for the Citywide System of Neighborhood Councils." (**Ex. 8** at p. 2.) These regulations, would, amongst other things, provide minimum standards to ensure neighborhoods would have a voice in their development. (*See* Department of Neighborhood Empowerment, *Plan for a Citywide System of Neighborhood Councils* (2013) attached hereto as **EXHIBIT 9**.) The Plan was approved by the City Council on May 25, 2001. (**Ex. 9** at p. 1.)
- 19. <u>Department of Neighborhood Empowerment ("DONE")</u>: DONE is the City agency presently in charge of administering the Citywide System for Neighborhood Councils. DONE's responsibilities are enumerated under Los Angeles Administrative Code section 22.800 *et al.* (*See* Los Angeles, California, Administrative Code §§ 22.800 *et al.* attached hereto as **EXHIBIT 10**.) DONE's primary duty is to:

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"Assist all groups and stakeholders...so they will have an equal opportunity to form and develop Neighborhood Councils by...providing assistance to areas of the City with traditionally low rates of participation in government...and mitigating barriers to participation..."

(Ex. 10 at p. 14.)

- 20. <u>Board of Neighborhood Commissioners ("BONC")</u>: BONC is a government entity established to oversee DONE. (**Ex. 8** at p. 2.) Although it has broad and binding policy-making authority with respect to the CSNC, its authority is subordinate to the City Council's legislative authority. (*Id.*) With respect to DONE, BONC is responsible for policy setting, oversight and contract approval, but it is limited to an advisory role in DONE's day-to-day management. (*Id.*)
- Neighborhood Councils (NCs): NCs are local representative bodies that address local issues and organize community programming for Stakeholders within a given geographic area. In April 2016, the City Council gave NCs the authority to take formal positions on City Council agenda items via the submission of Community Impact Statements. (*See* **Ex. 10** at p. 36.) To effect their purposes, each of the 99 NCs in Los Angeles, receives approximately \$47,000 in funding from the City each year.

A 2007 report by the U.S.C. School of Public Policy, Planning and Development found that "[t]he overall picture [of neighborhood councils] is one of "elite" dominated boards, with high-income residents overrepresented compared to LA City residents as a whole" and that "the racial and ethnic composition of neighborhood council boards does not mirror that of Los Angeles residents." (See Juliet Musso et al., Toward Community Engagement in City Governance: Evaluating Neighborhood Council Reform in Los Angeles, USC SCHOOL OF POLICY PLANNING AND DEVELOPMENT (2007) attached hereto as **EXHIBIT 11** at p. 18.)

22. <u>Business Improvement District ("BID")</u>: An organization comprised of business and property owners located within a geographically defined area that pay an assessment that is used to fund special services within their boundaries, including private security, street cleaning, and lobbying activity. BIDs within the proposed Skid Row Subdivision include the Downtown Industrial Business Improvement District (administered by the Central City East Association), the Fashion District Business Improvement District and the Historic Core Business Improvement

District. BIDs often have a heavy, and pro-business hand in the City's policies towards its homeless population. Several downtown Los Angeles BIDs utilized their resources to undermine the Skid Row Subdivision effort.

- 23. <u>Stakeholder</u> Stakeholders are members of a given NC. To be qualified as a Stakeholder and vote in a particular NC election, one must live, work, or own real property in the neighborhood or "declare a stake in the neighborhood as a community interest stakeholder, defined as a person who affirms a substantial and ongoing participation within the neighborhood council's boundaries, and who may be in a community organization such as, but not limited to, educational, non-profit, and/or religious organizations." (*See* **Ex. 10** at pp. 12, 24.)
- 24. <u>Downtown Los Angeles Neighborhood Council (DLANC)</u>: DLANC is the Neighborhood Council that presently represents the area of the City known as Skid Row. The DLANC Board does not include seats for all Stakeholders in the Skid Row neighborhood, such as low-income members of the Skid Row community.
- 25. <u>Skid Row</u> Skid Row is a neighborhood in downtown Los Angeles, that has historically been a place where low-income individuals can find housing and supportive social services. (*See, generally,* Community Redevelopment Agency, *History of Skid Row* (1998) and Community Redevelopment Agency, *Los Angeles' Skid Row* (2005) attached hereto as **EXHIBIT 12**.) It is comprised of approximately fifty city blocks immediately east of the financial district, and is bordered by Third Street to the north, Seventh Street to the south, Alameda Street to the east, and Main Street to the west. (*See Id.*; *and* <u>Jones v. City of Los Angeles</u>, (9th Cir. 2006) 444 F.3d 1118, 1121, <u>vacated</u>, (9th Cir. 2007) 505 F.3d 1006.)
- 26. <u>Historic Cultural Neighborhood Council (HCNC)</u> The Neighborhood Council that represents the Arts District, El Pueblo, Solano Canyon, Chinatown, Little Tokyo and Victor Heights.
- 27. <u>Subdivision Election</u> A City-established procedure whereby Stakeholders within an existing NC may apply to DONE to be removed, or "subdivide," and organize as a separate NC. (*See* **Ex. 9** at 35-36.) Within 90 days of the date DONE accepts a given Subdivision Application, it must conduct a referendum election at which Stakeholders in the existing NC may vote on whether

to approve the proposed subdivision. (*Id.*) In typical NC elections, there is only one polling location. (*See* Transcript, *City Council Rules and Elections, Intergovernmental Relationships and Neighborhoods Committee meeting* (March 8, 2017) attached hereto as **EXHIBIT 13** at pg. 7, ln. 7-18.) The Skid Row and Hermon Subdivision Elections were the first of their kind in the history of the City of Los Angeles.

- 28. 2017 Subdivision Election Manual ("2017 Election Manual") On March 23, 2017, just thirteen days before the SRNC-FC Subdivision Election, DONE published the "2017 Subdivision Election Manual" which provided new and, Petitioners allege, unlawful, rules for the conduct of the Skid Row Subdivision Election, including online voting. (*See* Department of Neighborhood Empowerment, 2017 Neighborhood Council Subdivision Manual (March 23, 2017) attached hereto as **EXHIBIT 14**.) The 2017 Election Manual was hastily adapted from the 2016 Neighborhood Council Election Manual, which discusses NC candidate elections. No member of the SRNC-FC ever saw the final 2017 Election Manual until after the election.
- 29. Everyone Counts, Inc. (E1C) Everyone Counts, Inc. is the Delaware corporation contracted by the City of Los Angeles to administer online voting for the Neighborhood Council elections. (See 2015 Everyone Counts Professional Services Contract attached hereto as **EXHIBIT** 16.) Everyone Counts designed and administered the online voting platform utilized in the SRNC-FC Subdivision Election. The platform was accessible to registered voters via their personal electronic devices as well as kiosks found at Pop-Up Polls.
- 30. <u>Pop-Up Polls (PUPs)</u> PUPs are in-person polling locations that are connected to the internet, in violation of California law. In the thirteen days leading up to the SRNC-FC Subdivision Election, DONE established twelve PUPs, nine of which were located outside of the boundaries of the proposed SRNC-FC subdivision, in violation of local law. (*See Pop-Up Poll Map* attached hereto as **EXHIBIT 17**.) To vote at these polling locations, DONE required Stakeholders to provide extensive documentation of their Stakeholder status to poll workers. Homeless persons were not permitted to vote at PUPs. These later mandates, Petitioners argue, were issued in violation of Federal law.

31. <u>Stakeholder Documentation</u> – According to a regulation unilaterally implemented by DONE, because DLANC chose to require documentation of Stakeholder status in its 2016 NC election, as opposed to permitting voters to self-affirm their Stakeholder status, new voters in the SRNC-FC Subdivision Election were required to comply DLANC's 2016 NC election documentation requirements. These requirements are detailed in a twelve-page document DONE memorandum. (*See* **EXHIBIT 19**.) This regulation stands in contrast to the mandates of the City Charter, which provide that NCs are self-determining entities. (*See* **Ex. 8** at p. 3.)

STATEMENT OF FACTS

The Skid Row Community's Decades-Long Quest for a Neighborhood Council

- 32. As early as 2001, Skid Row community activists organized efforts to obtain their own NC. In April 2002, they submitted a letter of intent to BONC which at the time, was the entity in charge of certifying communities as NCs. Although BONC determined Skid Row's letter of intent "did not meet the Board's requirements," it nevertheless considered adjusting thenapplicant DLANC's proposed boundaries to create a Skid Row Neighborhood Council at the time. (See Transcript, Board of Neighborhood Commissioners meeting (April 2002), attached hereto as EXHIBIT 21.) After hearing from Skid Row community members about the unique issues faced by their community, BONC ultimately decided it would not give the Skid Row community its own Neighborhood Council, citing Skid Row's small population size while ignoring an available exception for "historic identifiable" neighborhoods. (See Id..) BONC advised Skid Row community members to "come to a meeting and sign a paper to us, address us, if there is a concern," i.e., if If the Skid Row community's issues continued. (See Id.)
- 33. In the following years, the complex needs of the Skid Row community were, if not entirely ignored, grossly neglected by DLANC and the City and County of Los Angeles. SRNC-FC members identify as central to their need for their own NC, DLANC's lack of concern towards their community's issues as experienced at DLANC meetings and a lack of representation for diverse community Stakeholders on the DLANC Board of Directors.

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Creation of Procedures for Subdivision Elections

- 34. On November 25, 2015, the City Council instructed the City Attorney and BONC to develop a policy permitting "new council certification for [an] area being removed if desired at the grass roots level." On August 12, 2016, the City Attorney submitted a draft ordinance to the City Council providing for "subdivision election procedures." (See Los Angeles Office of the City Attorney, Report Re: Draft Ordinance Adding a New Section 22.819 to the Los Angeles Administrative Code...(2016) attached hereto as **EXHIBIT 22**.) On September 16, 2016, the Rules, Elections, Intergovernmental Relations and Neighborhoods Committee recommended that the City Council adopt the City Attorney's draft ordinance without amendment and the City Council did so on September 30, 2016. (See Los Angeles City Council File 12-1681, Rules, Elections, Intergovernmental Relations and Neighborhoods Committee Approved Item (September 16, 2016), attached hereto as EXHIBIT 23.)
- 35. Per the ordinance, "[t]he Department shall conduct an election within the boundaries stated in the subdivision petition within 90 days of the Department's approval of the subdivision petition." (Id.) (Emphasis added.) In a letter documenting his experience serving on the Neighborhood Council Plan Review & Reform committee tasked with drafting the original subdivision ordinance, Joseph Riser further confirms that there was "no debate" that the phrase "within the boundaries" meant "within the boundaries of the (necessarily) smaller subdividing entity" and that the phrase was "actually and very specifically added" by the City Attorney's office. (See Joseph Riser, 2017 Los Angeles City Neighborhood Council Subdivisions / Skid Row *Neighborhood* (2017) attached hereto as **EXHIBIT 24**.) It is therefore indisputable that City Attorney and the City Council clearly intended for the April 2017 Subdivision Elections to be conducted within the boundaries of the proposed subdivision.
- 36. The "Regulations" section of the Subdivision Ordinance authorizes DONE to "promulgate any further procedure, rule, or regulation necessary for the administration of the subdivision process contained in this section..." Although, DONE was at all times under a duty to "assist all groups and stakeholders seeking certification so that they will have an equal opportunity to form and develop Neighborhood Councils...." (See Ex. 10 at pg. 14.) (Emphasis

added.) Despite this duty, DONE would go on to implement numerous regulations governing the SRNC-FC Subdivision Election that were biased against the SRNC-FC and that ultimately and unlawfully caused the SRNC-FC to lose its Subdivision Election.

The SRNC-FC Prepares and Timely Files its Subdivision Application

- 37. From approximately November 29, 2016 through December 19, 2016, the SRNC-FC timely submitted its Subdivision Application to DONE. The 181-page document details the SRNC-FC's extensive outreach efforts to the community, and included a map of its proposed boundaries, as well as over 200 petition signatures, and letters of support from community organizations, non-profits, and the press. (*See* Skid Row Neighborhood Council Formation Committee, *Official Subdivision Application* (2016) attached hereto as **EXHIBIT 29** and accessible online at https://bit.ly/2OhGUE4.)
- 38. On January 11, 2017 DONE accepted the SRNC-FC's Subdivision Application, finding it to be complete. (*See* Los Angeles Department of Neighborhood Empowerment, *Skid Row Neighborhood Council Subdivision Application* (2017) attached hereto as **EXHIBIT 30**.) In its acceptance letter, DONE indicated it would hold a Subdivision Election "within 90 days" that would "include a polling location in the proposed Neighborhood Council boundaries and may also include online voting." (*See Id.* at p. 3.)
- 39. On January 12, 2017, this letter was forwarded to DLANC and HCNC with information about how the proposed SRNC Subdivision would affect each of their boundaries.
- 40. On approximately February 15, 2017 DONE unilaterally chose Thursday, April 6, as the date of the SRNC-FC Subdivision Election.
- 41. Neighborhood Council elections have always occurred at a single-polling location. (Ex. 13 at pg. 7, ln. 7-18.) However, at a February 15, 2017 Town Hall Meeting at the James Woods Community Center in Skid Row convened by DONE to address questions about the SRNC-FC Subdivision Election, DLANC Stakeholders expressed concern that more than one polling location would be needed for the SRNC-FC Subdivision Election. (*See* Transcript, *Town Hall Meeting* (February 15, 2017) attached hereto as EXHIBIT 56 at p. 3, ln. 6-7.)

42. Stephen Box, DONE's Director of Outreach and Communication, addressed the single-polling location issue:

"[I]t's a capacity issue and I apologize. I think online voting would be a tremendous opportunity to overcome that barrier but we don't have the permission, we don't have the mechanism in place."

"The locations is a resource issue..."

(Ex. 56 at p. 3, ln. 8-10.)

43. Mike Fong, DONE's Director of Policy and Government Relations, addressed the poll location issue:

"[I]t will be somewhere within the proposed boundaries of the Skid Row neighborhood council- that's the way that Ordinance was written, and so that's the way the election will be held."

(**Ex. 56** at p. 1, ln. 14-20.)

Mr. Box reaffirmed Mr. Fong's statement:

"It needs to be within the boundaries of the Skid Row Formation Committee's proposed map...one location."

"Yes, it has to be within the Skid Row. I appreciate the fact that you're thinking good and hard."

(Ex. 56 at p. 2, ln. 7-12; p. 4, ln. 4-5.)

44. At DONE's instruction, the SRNC-FC convened after the Town Hall Meeting and chose the James Woods Community Center, a facility well-within the boundaries of the proposed SRNC-FC Subdivision, as its single polling location.

Online Voting at Neighborhood Council Elections, in Violation of State Law

45. Under California law, voting systems are not permitted to be connected to the internet at any time unless the system has been specially approved by the Secretary of State or specifically authorized by California Elections Code section 19209. (*Cal. Elec. Code* §§19205, 19209(g).)

- 46. For the 2016 NC board member elections, NCs were permitted opt into an online voting test-pilot program, administered by E1C. The E1C voting platform was at all times connected to the internet, but was not specially approved by the Secretary of State or otherwise authorized by law.
- 47. NCs using the E1C test-pilot program experienced serious difficulties that evidenced the E1C voter platform, and the regulations governing its use, lacked any integrity. These issues were extensively documented by the NCs involved in the test-pilot program (*see* Los Angeles City Council File 15-1022-S2, *Community Impact Statements* (September 12, 2016 March 21, 2017) attached hereto as **EXHIBIT 28**, and Department of Neighborhood Empowerment, *Report Back on Council File 15-1022-S2 Regarding Online Voting Pilot for Neighborhood Council Elections* (2017) attached hereto as **EXHIBIT 25**.)
- 48. Relevant to the SRNC-FC Subdivision Election, NCs participating in the Pilot Program and DONE each confirmed that DONE's extensive Stakeholder Documentation requirements, coupled with the faulty E1C online voting platform, resulted in substantial voter suppression.
- 49. As a result of these and other issues, on June 29, 2016, the City Council suspended online voting and requested that DONE file a report about actions it would take to improve the online voting process for future NC elections. (See Los Angeles City Council File 15-1022-S2, Motion Referred to Rules, Elections, Intergovernmental Relations and Neighborhoods Committee (June 29, 2016) attached hereto as **EXHIBIT 26**.) The City Council retained discretion to determine the conditions under which online voting could be reimplemented, "after considering DONE's report." (Id.) On December 2, 2016, in anticipation of the upcoming subdivision elections, the City Council amended its motion to require any report be completed within 30 days, or in sufficient time for the Council to take any necessary action prior to any future neighborhood council election." (See Los Angeles City Council File 15-1022-S2, Council Adopted Item As Amended (December 2, 2016) attached hereto as **EXHIBIT 27**.)
- 50. DONE's report, which was submitted to the City Council on January 17, 2017, recommended, amongst other things, that the City Council "[i]nstruct the Department of

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Neighborhood Empowerment to require picture identification along with self-affirmation of the stakeholder type...to register to vote in order to make the voting process easier." (**Ex. 25** at pg. 2.) In doing so, DONE acknowledged that voter suppression resulting from extensive documentation requirements, is "in the nationwide conversation of voter suppression, [is] one of the most significant...tools for excluding voters." (**Ex. 25** at pg. 9-10.)

- 51. With the passing of the amended motion, and DONE filing its report, the prospect of online voting quickly established itself as an issue of concern for the SRNC-FC, whose low income and homeless constituents, would have difficulty voting if extensive documentation and/or internet access were required to do so.
- 52. The SRNC-FC was not alone in its concerns about online voting. From September 2016 through March 2017, at least twelve NCs filed Community Impact Statements with the City Council file on online voting. These Statements generally advocated for drastic reform of the online voting system before it could be reimplemented. (*See, generally,* Ex. 28.) One Community Impact Statement informed the City Council that online voting is illegal in California. Two addressed problems that had resulted because of inequitable establishment of PUPs in locations that favored one candidate over another, a central issue in the SRNC-FC Subdivision Election. (*Id.*) Several discussed the disenfranchisement of voters that had resulted from DONE's extensive ID and Stakeholder documentation requirements. (*Id.*)
- 53. At the February 15, 2017 Town Hall Meeting, Mr. Fong and Mr. Box conceded that online voting was still an option for the SRNC-FC Subdivision Election. (**Ex. 56** at p. 2, ln. 24 p. 3, ln. 4.) Specifically, paper ballot voting at a single location was termed "Plan A," online voting was "Plan B." (*Id.*) Mr. Box cautioned that the implementation of online voting was subject to approval by the City Council and advised anyone wishing for it to be implemented for the SRNC-FC Subdivision Election, to lobby their Councilmember.
- 54. At the February 15 Town Hall Meeting, DONE also described the voter-registration process, as it would proceed under both Plan A and Plan B. (*Id.*) Mr. Box stated as to Plan A:

"They would come in and they would fill out a single piece of paper, a registration form, and they would exchange it for a ballot...

"There is an accommodation made for the fact that some folks don't have documents and so that accommodation will be made and so that will be addressed on, at the polling place...

Yes, [there is a way to register people before the election], but you won't register them with us because when they show up they are going to exchange that paper, ok? So, the only pre-registration, if there were online voting, they could register online, ahead of time. But what you can do is get those rosters from those organizations that are active in the community, they still will have to walk-in that day with their personal ID to show who they are and to exchange it..."

(**Ex. 56** at p. 1, ln. 24 – p.2, ln. 9.)

- 55. Accordingly, with the polling time and location established, and less than two months to go before the election, the SRNC-FC invested substantial resources into outreach to its low-income constituents, including in-person advocacy, attendance at community meetings, and printing and posting flyers in the neighborhood that included information about the election as it had been agreed upon pursuant to the February 15, 2017 Town Hall Meeting.
- 56. As for further details about how the Subdivision Election would proceed, the SRNC-FC was left in the dark. Up until two weeks before the election, there was no manual providing Subdivision Election rules, and the SRNC-FC's requests for information from DONE received scant a response. (*See* Mike Fong, *Re: Skid Row Neighborhood Council questions* (2017) attached hereto as **EXHIBIT 20.**)

Suppression of the SRNC-FC Vote, in Violation of State, Municipal and Constitutional Law

Unreported Lobbying Activity by United DTLA Against the SRNC-FC

57. In January 2017, a group of downtown Los Angeles development interests began coordinating what would become a well-funded, covert, and effective, SRNC-FC voter suppression effort. On March 3, 2017, this effort formally organized under Delaware corporation United Downtown Los Angeles LLC ("United DTLA"). (*See* Delaware Secretary of State, *United*

Downtown LA LLC Entity Details (2017) attached hereto as **EXHIBIT 32**.) At outlined below, at least two DLANC Directors, Estela Lopez and Rena Leddy, were central organizers of United DTLA's SRNC-FC voter suppression effort.

- 58. It was widely understood by those working against the SRNC-FC that the reimplementation of online voting for the SRNC-FC Subdivision Election would "flip the switch" and automatically register 1065 DLANC and HCNC constituents to vote. (*See* **Ex. 13** at p. 2, ln.16 p. 3, ln. 7.) As such, a central component of United DTLA's work was obtaining Councilmember Huizar's agreement to reimplement online voting shortly before the SRNC-FC election, without any measures to protect the SRNC-FC constituents' fundamental right to vote.
- 59. On January 12, 2017, upon receiving notification that the SRNC-FC's Subdivision Application had been accepted, Executive Director of the HCBID Blair Besten, called a meeting with Councilmember Jose Huizar, then-DLANC Director and DIBID Executive Director Estela Lopez, and Broadway theater owner Michael Delijani, to discuss the "Skid Row Neighborhood Council." (See Mayra Alvarez, Re: Meetings Next Week (2017) attached hereto as **EXHIBIT 31**.)
- Delgadillo's lobbying firm, Liner LLP, to further its efforts. These efforts have largely been concealed, in violation of the Municipal Lobbying Ordinance. (See Adrian Riskin, Report to the Los Angeles City Ethics Commission about Violations of the Municipal Lobbying Ordinance in Relation to the Skid Row Neighborhood Council (May 9, 2017) attached hereto as EXHIBIT 36.)

 Liner LLP did not initially disclose any lobbying on behalf of United DTLA in Q1 or Q2 of 2017 to the City Ethics Commission. (See id.) Given the extensive lobbying done by Liner on behalf of United DTLA in Q1 of 2017, both before and after United DTLA's organization as a Delaware corporation, Liner very likely has extensive outstanding disclosures of lobbying activity against the SRNC-FC on behalf of individuals and United DTLA in Q1. (See id.)
- 61. In July 2017, three months after the election, Liner LLP late-amended its Q2 disclosure to add \$45,000 in contributions from United DTLA. (*See* Los Angeles Ethics Commission, *Liner LLP 2017 Q2 Lobbying Firm Quarterly Report* (July 25, 2017) attached hereto as **EXHIBIT 35**.) The disclosure indicates that United DTLA was very likely organized by then-

DLANC Director and DIBID Executive Director Estela Lopez, as it lists the DIBID's address and telephone number as United DTLA's contact information. (*Id.*) Estela Lopez has since vacated her seat on DLANC's board of directors.

- 62. Although a complaint filed with the City Ethics Commission calls for an investigation into the issues, Liner LLP has since been acquired by law firm DLA Piper and has vacated its downtown Los Angeles offices.
- 63. On March 17, 2017, Rocky Delgadillo, submitted a ten-page letter to BONC on behalf of Liner LLP and United DTLA, and copied Councilmember Huizar and DONE General Manager Grayce Liu. The letter, amongst other things, requests that online voting be implemented for the SRNC-FC Subdivision Election. (**Ex. 36** at p. 16.)
- 64. On March 20, 2017 at 11:00 a.m. then DLANC-Director Ms. Lopez organized a "Skid Row Neighborhood Council update call" with Mr. Delgadillo and DLANC Director Ms. Leddy. Shortly the meeting, Ms. Leddy sent out emails to property owners in her BID, rallying them against the SRNC-FC. (*See* Rena Leddy, *Your Property & the Skid Row Neighborhood Council* (2017), attached hereto as **EXHIBIT 41**.) In one of these emails, Ms. Leddy describes United DTLA as an entity formed by property owners in the proposed new NC who had engaged Mr. Delgadillo to postpone the election. (*Id.*) At 1:00 p.m. DLANC Director Rena Leddy joined Mr. Delgadillo at a BONC meeting, to lobby for postponement of the election.
- 65. On March 20, 2017 at 5:29 p.m. Ms. Lopez updated her email list about the results of the BONC meeting, which she had not attended, and solicited donations to United DTLA. (*See* Estela Lopez, ***IMPORTANT UPDATE*** *Skid Row Neighborhood Council*, (2017) attached hereto as **EXHIBIT 37**.)

The City Council and DONE's Unlawful Reimplementation of Online Voting

66. Action by the City Council to reimplement online voting for the SRNC-FC Subdivision Election was planned to occur in March, at two Special Meetings of the Rules, Elections, Intergovernmental Relations and Neighborhoods Committee, chaired by Councilmembers Jose Huizar, Herb Wesson and Marqueece Harris-Dawson.

67. Each of these meetings was called as a Special Meeting related to the Council File or
the online voting suspension, requiring only 24 hours-notice. Neither notice indicated that action
would be taken on the issue of online voting for SRNC-FC Subdivision Election, in violation of the
Brown Act. ¹ (See Los Angeles City Council File 15-1022-S2, March 8 and March 22 Rules,
Elections, and Intergovernmental Relations Committee Meeting Agendas, attached hereto as
EXHIBIT 29 .) The applicable agenda item for each meeting merely states: "[DONE] Report
relative to an online voting pilot for Neighborhood Council elections." (Id.)

- 68. A strong majority of those present at the March 8 meeting vocalized fierce opposition to the reimplementation of the E1C voting platform without a substantial overhaul of the system. (*See, generally,* **Ex. 40**.)
- 69. Petitioner Katherine McNenny took the opportunity to outline the problem with online voting for the SRNC-FC Subdivision Election, advocating for paper ballots:
 - "...[T]he vast majority of Skid Row residents, approximately 12,000, are very low income. This means that they do not have easy access to a computer. Even the majority that are housed in the community utilize free Obama phones. I mention these Obama phones because it is important to understand that these are not smart phones, but flip phones. Uploading pictures of documents on an Obama phone is all but impossible.

Most of the low-income residents in Skid Row must travel outside of the neighborhood to gain access to a computer. Many use the library. Within Skid Row there are very limited access points to a computer. Of the few that are available to the public, there are several barriers to use such as limited times, requirements for being enrolled in a specific program, even gender.

For these reasons and more, online voting is not the appropriate way for the Skid Row community to vote in this critical, upcoming, Subdivision Election. I would respectfully remind everyone that this is our application and our community has unique challenges."

70. The City Council was further informed by speakers at the meeting that online voting is illegal in California. (**Ex. 40** at p. 4, ln. 24 - p. 5, ln. 6.)

¹ The purpose of the Brown Act, is described as follows: "The people of this State do not yield their authority to the agencies that serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created." (Cal. Gov't Code.§ 54940.)

- 71. Interestingly, DLANC President Patti Berman and DLANC VP of Administration Rob Newman both indicated they had been informed that the meeting was called to discuss online voting for the SRNC-FC Subdivision Election. (*See* **Ex. 40** at p. 3, ln. 11-27, p. 5, ln. 7-17.)
- 72. When questioned at the March 8 meeting whether there would be another meeting to discuss online voting, Councilmember Wesson responded, "Well I don't want to say in advance what we're gonna do until I hear what happens." (*See* **Ex. 40** at p. 3, ln. 1-2.)
- 73. Although DONE's January 17, 2017 Report Back to the City Council was reason for the meeting and appended each of the meeting agendas, DONE was not present to discuss its report. (**Ex. 40** p. 7, ln. 11 19.) This fact did not, by the audio recording of the meeting, seem to cause Councilmember Huizar any surprise. (*Id.*)
- 74. It appears those involved with United DTLA were apprised of the date and purpose of the continued Rules, Elections, Intergovernmental Relations and Neighborhoods Committee meeting before it was known to the public, or any member of the SRNC-FC. In Ms. Leddy was able to advise and solicit the attendance of her email list of the upcoming meeting on "Wednesday," March 22. (See Estela Lopez, **IMPORTANT UPDATE** Skid Row Neighborhood Council, (2017) attached hereto as **EXHIBIT 38**.)
- 75. At the March 22 meeting, Councilmember Huizar reopened public comment "as a courtesy" to those present at the meeting, which this time included a chorus of Downtown Los Angeles development interests, rallied by, amongst others Estela Lopez and Rena Leddy. These individuals complained that they lacked knowledge about the election and would be disadvantaged by a single polling location.
- 76. Ms. Liu explained that it was DLANC's responsibility to conduct outreach to its constituents. (**Ex. 13** p. 5, ln. 8 14.) As to the risk of not doing so, she stated: "if only the forming committee is doing the outreach and the neighborhood council does no outreach, it is very likely the forming committee is going to have a majority of the voters there." (*Id.*) Nevertheless, 4-Councilmember Huizar proceeded to make sure DLANC's failure to conduct voter outreach did not disadvantage its constituents.
 - 77. After hearing public comment, Councilmember Huizar admitted the meeting was

called to move forward with online voting for the SRNC-FC Subdivsion Election. (**Ex. 13** at p. 2, ln. 8-14.) From the audio recording, Councilmember Huizar is very apparently reading from a script while he questions DONE General Manager Grayce Liu about how reimplementation of online voting could be done in a "transparent, practical, and reasonable" manner for "everyone involved." (**Ex. 13** at p. 2, ln. 13-14.)

78. Ms. Liu did not, at any time during the meeting, address how online voting would affect SRNC-FC constituents' vote. She did, however, speak generally about the difficulties caused by DONE's voter registration procedures:

"As I mentioned, it's likely, uh the hiccups that we did have, were in regards to getting the documentation, all of the documentation that is needed to actually allow folks to vote. So neighborhood councils can either self-affirm or they can use documentation to register to vote. DLANC has documentation. And when you have documentation, when they were submitting information online for voter registration, sometimes they didn't give us everything that was needed. In fact, one of our recommendations, for the online voting, and just in general even if we didn't have online voting, we would recommend that all NCs go to self-affirmation. The process of documentation is very burdensome to stakeholders. It is literally the hardest registration of any voting, of any federal, state, county level, because you have to show deeds to your house, you have to bring your 1099s and your W-2s. And people who want to vote and participate are not used to providing that type of information."

(Ex. 13, p. 3, ln. 11-22.)

- 79. Ms. Liu further made clear that DONE would permit Stakeholders from previous elections to be automatically registered to vote in the SRNC-FC Election:
 - "...because we are able to basically flip a switch and turn on the existing databases that were created for Historic Cultural Neighborhood Council and for Downtown Los Angeles Neighborhood Council. I know that some folks expressed concern regarding the process of voter registration. For us, the folks that already voted, the 847 people for Downtown Los Angeles Neighborhood Council in the 2016 elections as well as the 194 people in Historic Cultural. They're already preregistered and ready to vote. They will simply be emailed information on how to register online to get their user ID and password. They will not have to give us their documentation again to show that

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- 80. In sum, Ms. Liu acknowledged the difficulties that new voters would have with registration, that it would be easier to notify DLANC stakeholders about online voting if implemented, that 1065 DLANC constituents would be automatically registered, and dodged the question of whether two weeks was "sufficient time" to fairly implement online voting. Ms. Liu did nothing to note or address the inevitable issues SRNC-FC constituents would have with DONE's ID and Stakeholder documentation requirements, after noting in her own report that such documentation, "in the nationwide conversation of voter suppression, is one of the most significant…tools for excluding voters." (*See, generally*, **Ex. 13** at pp. 2-8.)
- 81. After hearing from Ms. Liu, Councilmember Huizar ended the meeting by reading a prepared statement that implemented online voting for the SNRC-FC Subdivision Election only and very specifically tabled implementation of the recommendations in DONE's report, including the recommendation addressing voter suppression until a later time. (**Ex. 13** at p. 7 ln. 20 p. 8 ln. 5.)
- 82. On March 24, 2017, the City Council adopted the recommendation of the Rules, Elections and Neighborhood Council Committee, officially lifting the ban on online voting for the Skid Row Subdivision Election while continuing the ban on online voting throughout the rest of the City.

DONE's Misconduct and Bias Against the SRNC-FC

83. On March 23, 2017, *one day before* the City Council voted to approve online voting, and only fourteen days before the SRNC-FC Subdivision Election, DONE informally circulated its 2017 Election Manual. (*See* Stephen Box, *Re: ELA – Subdivision Questions* (2017) attached hereto as **EXHIBIT 15**.) The manual further indicates DONE's bias against the SRNC-FC, and actual misconduct in administering the SRNC-FC Subdivision Election, particularly given DONE's duty to provide all Stakeholders an equal opportunity to form and develop Neighborhood Councils. (*See* **EXHIBIT 8** at p. 2.)

84. While this manual was delivered in draft form to SRNC-FC member Antonio Rodriguez on March 23, 2017 (**Ex. 15**), no final copy was ever delivered to SRNC-FC Chair, Petitioner Jeff Page, who remained unaware of the contents of the manual until the Regional Grievance Panel.

Establishment of Multiple Unauthorized Polling Locations, with Inadequate Notice to the SRNC-FC

- Much of the decision of the City Council to reimplement online voting rested on DONE's assertion that it could not postpone the election due to the requirement that the election be held within 90 days of acceptance of the SRNC-FC's application, indicating DONE was unwilling to bend its own rules. However, the 2017 Election Manual completely disregards the rule requiring subdivision elections to be conducted within the boundaries of the proposed p. 35) by permitting DONE to establish Pop-Up Polls ("PUPs") outside of the boundaries proposed in the SRNC-FC Subdivision Application (Ex. 14 at p. 4).
- 86. In the following two weeks, DONE established 9 of 12 PUP locations outside of the proposed subdivision, with six polling locations inside City Hall and three within DLANC's boundaries only. (*See Pop-Up Poll Map* attached hereto as **Ex. 17**.) Moreover, DONE did not provide the SRNC-FC a final list of PUP locations until March 30, 2017 (*see* Mike Fong, *SRNC Formation* (2017) attached hereto as **Exhibit 18**) or inform the SRNC-FC about the first PUP within the SRNC-FC subdivision boundaries until the day of that PUP (*see* Mike Fong, *SRNC Formation*, (March 24, 2017) attached hereto as **Exhibit 34**). This PUP took place on March 29, 2017, with less than 7 hours-notice to the SRNC-FC at LACAN, a community outreach organization in Skid Row. Many Skid Row community members, including homeless community members, arrived to find that they were unable to vote, either because they were homeless, or because they lacked photo ID and/or documentation of their stakeholder status.
- 87. On April 4, 2017, DONE changed the time for the April 5 PUP at 4th and Main, per requests by residents in the building, invalidating extensive outreach materials printed and efforts made by the SRNC-FC, whose constituents were less likely to have regular access to electronic communications capable of conveying such last-minute changes. (*See* Elections@empowerla.org,

Skid Row Neighborhood Council Formation Election – 2 days left to vote + new Pop-Up Poll time for April 5 (April 4, 2017) attached hereto as **EXHIBIT 43**.)

Prohibiting Homeless Voters from Voting Online and at Certain Polls

- 88. While the 2016 Elections Manual provided several ways for homeless persons to vote online and in person (*see* Department of Neighborhood Empowerment, *2016 Neighborhood Council Election Manual* (2016), attached hereto as **EXHIBIT 44** at p. 23), these rules were removed from the 2017 Election Manual (*see* **Ex. 14** at p. 12). Instead, the 2017 Election Manual prohibits homeless persons from voting online or at PUPs. (*Id.*)
- 89. While homeless persons were still permitted to self-affirm their stakeholder status, they were limited to doing so at the April 6, 2017 poll, which was open at the James Woods Community Center for four hours only. (*Id.*)
- 90. In DONE's January 19, 2018 Report Back about the SRNC-FC Subdivision Election, DONE admits that homeless voters were turned away from its PUPs. (See Department of Neighborhood Empowerment, *Report Back Concerning the SRNC-FC Election* (2018) attached hereto as **EXHIBIT 55** at p. 5.)

Unilateral Implementation of DLANC's Suppressive Documentation Requirements

- 91. DONE unilaterally determined that the voter registration procedures in place during DLANC's 2016 NC Election would be utilized in the SRNC-FC Subdivision Election. (**Ex. 13** at p. 3, ln. 11-22.) The City Council, far from issuing any policy guidelines or safeguards to ensure the procedures for new voter registration in the SRNC-FC Subdivision Election were constitutionally sound, prohibited DONE from implementing any changes from the previous election. (**Ex. 13** at p. 7, ln. 20-27.)
- 92. The 2017 Elections Manual did not provide any means by which persons who were not homeless but who lacked photo ID and/or Stakeholder Documentation could register to vote, whether in person or online. (*See, generally,* **Ex. 14**.) As such, new voters who did not have photo ID and/or the required Stakeholder Documentation were unable to vote in the SRNC-FC Subdivision Election.

- 93. Moreover, due to the late circulation of the 2017 Election Manual (**Ex. 15**), and the delayed and/or limited assistance received from DONE about election logistics (**Ex. 20**) the SRNC-FC had difficulty guiding its constituents who were new voters with the voter registration process.
- 94. Finally, new voters who did have such documentation had high registration failure rates. (*See, generally*, **Ex. 54**.) Assuming a new voter was able to scan in and upload their photo ID and Stakeholder documentation onto the E1C platform, the registration process then required someone on the "backend" of the platform to review their paperwork (**Ex. 54** at p. 3.). Once approved, the individual would be issued a username and pin by email or U.S. Mail, which they could use to vote online remotely or at a "PUP," but given that online voting was implemented only two weeks before the SRNC-FC Subdivision Election, new users were often unable to complete the voter registration process in time. (**Ex. 54** at pp. 3-4.)
- 95. Specifically, that only 45% of new voters attempting to register to vote in the SRNC-FC Subdivision Election were able to complete their registration process and vote. (**Ex. 54** at p. 5.)

Bias Against SRNC-FC Constituents Voting by Roster

- 96. Rules promulgated in the 2017 Subdivision Manual permitted Community Interest Stakeholders to register to vote by roster if their community interest group submitted their name as part of its membership roster, along with documentation of group's work within the community. (**Ex. 14** at p. 6.)
- 97. A significant number of Skid Row community members whose names were submitted to DONE on rosters, were unable to vote unless they went to the polls. (*See Emails re: SRNC-FC Constituents Voting Difficulties* (2017), attached hereto as **EXHIBIT 49**.) Although DLANC constituents had similar issues, it appears those registering with SRNC-FC organizations had more difficulty obtaining DONE's assistance. (*Id.*)

DONE's Use of DLANC's Registered Voter Email List

98. Last-minute get-out-the-vote efforts to preregistered DLANC constituents were easy to accomplish utilizing email lists of registered voters generated by DONE. DONE maintained these email lists, which they had provided to DLANC subsequent to the 2016 NC Election. (*See* Jacob

Van Horn, *Re:* **IMPORTANT UPDATE** Skid Row Neighborhood Council (2017), attached hereto as **EXHIBIT 33**.) As such, DLANC had every opportunity to utilize its email lists in the 90 days leading the election to conduct voter outreach but chose not to do so.

- 99. DLANC's registered voter email list was never provided to the SRNC-FC.
- 100. On April 3, Mr. Jacob Van Horn forwarded an excel file which he appeared to have received from DLANC President Patti Berman that contained 639 email addresses of preregistered voters to several DLANC advocates. (*See id.*)
- 101. DONE also used the DLANC and HCNC registered voter email lists to get out the vote on at least two occasions. On March 24, 2017 at 5:41 p.m. (*see* Ex. 34) and April 4, 2017 (*see* Ex. 43) DONE sent an email to these voters advising them about the SRNC-FC Subdivision Election as well as where, when and how to vote.

DONE's Implicit Consent to Electioneering by DLANC

- 102. While the 2016 Election Manual and the Election Challenge Portal prohibit electioneering by any "Candidate," (*see* **Ex. 44** at p. 14) the 2017 Election Manual was edited by DONE so that only "Electioneering by Applicant," i.e., the SRNC-FC, would be the only conduct subject to review by DONE's Election Challenge procedures (*see* **Ex. 14** at p. 27).
- 103. Because the SRNC-FC never received an official 2017 Election Manual, it was unaware of this limitation. Moreover, the Election Challenge Portal still listed "Electioneering by Candidate" under its instructions and in the drop-down menu that Petitioner Jeff Page used to register his election challenge. (*See* Election Challenge Portal, http://empowerla.org/election-challenge-process (accessed on November 2, 2016 and April 13, 2017, respectively) attached hereto as **EXHIBIT 45**.)

Mismanagement of the Final Vote Count

- 104. In the final vote canvass, the SRNC-FC or the "Yes" position, received 766 votes, while DLANC or the "No" position, received 826 votes. (*See* Department of Neighborhood Empowerment, *Final Vote Canvass* attached hereto as **EXHIBIT 50**.)
- 105. On April 10, 2017, Petitioner Jeff Page requested a recount, which he was entitled to under California law, but DONE denied his request, stating that "the ballots were already

counted as a matter of routine." (See Stephen Box, Update – Skid Row Subdivision Election (2017) attached hereto as **EXHIBIT 51**.)

- 106. Through Public Records Act requests, Petitioners have received several documents containing voter tallies, none of which seem to "add up."
- 107. Moreover, DONE was contacted by E1C in the days after the election about duplicate voters, or persons that had voted online and in person, of which it identified two. DONE did nothing to correct or verify the vote count after receiving notice of this issue. (*See* elections@empowerla.org, *Re: ELA Elections* (2017) attached hereto as **EXHIBIT 55**.)

DLANC Endorsed Electioneering by United DTLA Using DLANC's Logo

- 108. At 11:24 a.m. on May 31, 2017, an email containing DLANC's official logo and address was sent by UniteDTLA@gmail.com, upon information and belief, to those DLANC and HCNC constituents who were pre-registered to vote in the SRNC-FC Subdivision Election. (*See* UnitedDTLA@gmail.com, *Vote NO on Skid Row Separation* (2017) attached hereto as **EXHIBIT 46**.) *The* email, titled "Vote No on Skid Row Separation," instructed recipients to "Unite Downtown Vote NO on Skid Row Separation" and contained a URL link to a MailChimp mailing list beginning with the word "dlanc" as well as DLANC's P.O. Box address in the email's post-script. (*See*: https://drive.google.com/file/d/0B8Mhrct1PVIaOGYzV3FiYkZMdXM/view?usp=sharing.)
- Moreover, upon clicking the "why did I get this?" link at the bottom of the email, recipients were directed to a page which provided, "You are receiving this email because you reside within the designated area to vote in the DTLA Neighborhood Council Election." (*Id.*) The latter page also lists DLANC's P.O. Box address as belonging to "Unite DTLA." (*Id.*) As such, it appears that an
- entity -- Unite DLTA -- utilized DLANC resources, including DLANC's mailing list and logo, to
- unlawfully solicit votes.
- 109. At 12:31 p.m., after receiving the above-email, DLANC President Patti Berman sent an email titled "email issues" to DLANC email account users, advising them to update certain processes to ensure their access to their email accounts going forward. (*See* Patricia Berman, *email issues* (2017), attached hereto as **EXHIBIT 47** at p. 1.)

- 110. At 4:11 p.m., after receiving an email from DLANC Director Andrew Douglas who expressed concern about the UniteDTLA@gmail.com email, DLANC President Patti Berman emailed UniteDTLA@gmail.com and asked whoever owned the account to refrain from using "this logo as it is a violation of City policy." (*See* Patricia Berman, *Our logo* (2017), attached hereto as **EXHIBIT 47** at p. 2.) Contrary to statements later made by Ms. Berman to the Regional Grievance Panel, it is clear that Ms. Berman did not immediately address the use of DLANC's logo and when she did, she did not do so of her own accord. No further effort was made by Ms. Berman or DLANC to remedy the confusion caused by this solicitation of votes, such as by sending an email to DLANC registered voters to clarify that the use of DLANC's logo was unauthorized.
- 111. At 10:35 a.m. on April 1, 2017, DTLAUnited@gmail.com sent an email to the same mailing list. The email, titled "Vote No on Skid Row Separation," contained a logo that looked confusingly similar to DLANC's logo, and instructed its recipients to "Vote NO on Skid Row Separation." (See DTLUnited@gmail.com, Vote No on Skid Row Separation (2017) attached hereto as **EXHIBIT 48**.) No effort was made by Ms. Berman or DLANC to remedy the further confusion caused by this solicitation of votes.

Administrative Hearing by the Regional Grievance Panel

- 112. The 2017 Election Manual permits Stakeholders to file a certain Election Challenges by "following the instructions" on the "Election Challenge Portal" located at EmpowerLA.org. (*See*, Election Challenge Portal, *available at* http://empowerla.org/election-challenge-process, attached hereto as **EXHIBIT 45**.) The Election Challenge Portal permits Election Challenges to be filed for: "Electioneering by Candidate(s), "Explicit use of City logo(s) for Campaign Materials by Candidate(s) (including Neighborhood Council logos)," and "Neighborhood Council Board Endorsement." (*See, Id.* at p. 2.)
- 113. Per instructions found on the Election Challenge Portal, each Election Challenge is subject to three levels of review. (*Id.* at p. 3.) First, DONE's initial review determines whether a challenge filed at the Election Challenge Portal is timely. (*Id.*) Second, three Independent Election Administers (IEAs) and the Office of the City Attorney review the challenge to

determine if it is an acceptable type of challenge, and whether it has supporting documentation "that proves the alleged challenge is...valid, [and] would also have made a difference in the election outcome." (*Id.*) The Subdivision Election Manual provides that "[c]hallenges without such supporting documentation will automatically be rejected." (*Id.*) Finally, accepted challenges are subject to review by a Neighborhood Council Regional Grievance Panel which will determine whether the challenge is valid "based on the documentation submitted, the Department/City Clerk report and public comment." (*Id.*) If the Panel determines a challenge is valid, it must "recommend a remedy, *to be implemented by the Department.*" (*Id.* at p. 4) (*Emphasis added.*)

- than five (5) calendar days after the date of the election. On April 10, 2017, Petitioner Jeff Page timely submitted three Election Challenges to the Election Challenge Portal, including Challenge #103 "Campaign Material Issues," Election Challenge #104 "Inappropriate Neighborhood Council endorsement of a candidate," and "Challenge #105 "Electioneering by candidates." On the same day, Petitioner Page also formally requested a recount. (*See* Stephen Box, *Update -- Skid Row Subdivision Election Challenges* (2017) attached hereto as **EXHIBIT 51** at pp. 3-51.)
- 115. On or about April 14, 2017, after meeting with the City Attorney, DONE emailed Petitioners and accepted each of the three Election Challenges, stating "[DONE] reviewed the election challenges, and will be convening an Election Challenge Review Panel to resolve the pending challenges." (**Ex. 51**.)
- 116. On or about May 3, 2017, DONE emailed Petitioners an Election Challenge Panel memorandum that provided the date, time, and location of the Election Challenge Panel, rules governing the Panel proceedings and a report dated April 28, 2017 directed to the "Neighborhood Council Election Challenge Panelists" that stated DONE's position as to each Election Challenge. (Ex. 52.)
- 117. Per the memorandum, the written evidence the Panel may consider is limited to the "filed Election Challenge, up to three Witness Statements, and the documents uploaded with

the Election Challenge." (*Id.*) However, at the Panel, the City Attorney clarified that "the restriction on evidence is limited to the challenging side." DLANC was accordingly permitted to present binders containing written evidence that the SRNC-FC was not able to review or rebut.

- 118. The memorandum thereafter provides for "witness testimony" in the form of opening statements and rebuttals by the person filing the Election Challenge, any party who has been challenged and DONE. (*Id.*) Thereafter the Panel is permitted to question the witnesses and hear public comment. Finally, the Panel was instructed to deliberate the Election Challenges and provide a "recommended determination and remedy to [DONE]." (*Id.*)
- 119. The report attached to the memorandum is titled "Department Report on Skid Row Neighborhood Council Subdivision Election." It explains the "research" DONE conducted into the Election Challenge, its findings and its recommendation that Election Challenges #104 and #105 be dismissed. Regarding Election Challenge #103, DONE stated that its findings were inconclusive. (*Id.*)
- 120. DONE's recommendation as to Election Challenge #104, "Neighborhood Council Board Endorsement" was based on DONE's findings that (1) DLANC did not convene and vote to officially endorse a position in the election; (2) it is possible that a third party MailChimp account created a campaign utilizing DLANC's logo, website and address; and (3) that there was no information about a "Vote NO" campaign in MailChimp records provided by DLANC President Patti Berman to DONE at DONE's request, although DONE noted that such information could have been deleted. (*Id.*)
- 121. DONE's recommendation that Election Challenge #105 was based on wording in the 2017 Election Manual which limits electioneering violations to "Electioneering by Applicant," which DONE found applied only to the SRNC-FC as the party having filed the Subdivision Application. (*Id.*)
- 122. As to Election Challenge #103 "Explicit Use of a City Logo," DONE stated that its findings were "inconclusive...despite researching the challenge allegations" but that it believed for Election Challenge #103 to be valid, the "Election Challenge Panel would have to find that DLANC or someone with access to DLANC's MailChimp sent the initial Unite DTLA

email from DLANC's account using their logo and resources and that this made a difference in the election results." (*Id.*)

- and questioned DONE representative Grayce Liu, DLANC President Patti Berman, Vice President of Administration for DLANC Bob Newman, DLANC MailChimp Administrator Amara Ononiwu, and Petitioner Jeff Page. The Panel also heard public comment from Petitioner Katherine McNenny and several other members of the downtown Los Angeles community, many of whom expressed outrage over DONE's administration of the election. Following the proceedings, the Panel publicly deliberated the evidence before it, and made findings of fact upon which it based its determination and remedy. The Panel generally found that the 2017 Election Manual was a hastily edited version of the 2016 Neighborhood Council Election Manual, and therefore was required to make several findings of law, to facilitate application of the 2017 Election Manual to the facts of the SRNC-FC Subdivision Election.
- 124. As for Election Challenge #103, "Explicit Use of a City Logo," the Panel noted "VII. Campaigning" in the 2017 Subdivision Election Manual which provides that "the purpose of [the provision governing use of a City logo] is to prevent candidates or supporters of candidates from campaigning under the express or implied endorsement or authorization of...a Neighborhood Council and prevent voter confusion" and found that DLANC's failure to correct the confusion that resulted from the MailChimp campaign constituted "explicit use of a City Logo by a Candidate." (Emphasis added.) The Panel also found that because approximately 1388 of 1590 or 87% of the votes were cast online, the campaign "logically" made a difference in the election outcome. Based on its findings, the Panel unanimously upheld Election Challenge #103.
- 125. As for Election Challenge #104, "Neighborhood Council Board Endorsement," the Panel upheld the Challenge based on the same findings and rationale.
- 126. As for Election Challenge #105, "Electioneering by Applicant," the Panel found that Electioneering applied to the email campaign because, while section "VIII. Electioneering" in the 2017 Election Manual did discuss electioneering as it related to conduct at physical

polling locations, email campaigns could be said to be conducted everywhere, and moreover, the 2017 Election Manual was edited hastily. The Panel found that because approximately 1388 of 1590 or about 87% of the votes were cast online, the campaign "logically" made a difference in the election outcome. The Panel voted two-to-one to uphold this challenge over a disagreement about whether the term "Applicant" was the controlling definition as the Election Challenge Portal permits "Electioneering by Candidate."

- 127. Finally, the Panel found that because there were two "candidates" in the Subdivision Election (the "yes" and "no' positions), that both of these positions were affected and that therefore, every "seat" on the ballot was affected. As such, a new election was an appropriate remedy.
- 128. Based on its findings, the Panel voted to sustain all three Election Challenges and issued an "Election Challenge Panel Determination" on DONE letterhead providing that the following remedy be applied to the three Election Challenges:

The Election Challenge Panel combined the remedies for challenges #103, 104 and 105 to: within 60 days there shall be an independent investigation to determine if any laws were broken and how many votes were affected; if the number of votes affected is greater than the vote difference in the election, then the election result shall be overturned. Within 90 days, if the election result is not changed after the investigation above, then the election shall be held again, without online voting.

(See Department of Neighborhood Empowerment, Skid Row Neighborhood Council Subdivision Election Challenges (2017) attached hereto as **EXHIBIT 53**.)

- 129. On May 19, 2017 DONE rejected the Panel's determination, provided in the "Election Challenge Panel Determination" letter, and informed Petitioner Jeff Page that it would "certify the April 6th, 2017 election results as final." (*Id.*) DONE further stated that Petitioners could reapply when DONE next accepted applications, sometime in October 2018. (*Id.*)
- 130. The Subdivision Rules and Regulations provide that "remedies can include, but are not limited to, letters of correction/reprimand, disqualification of candidates or voters, Neighborhood Council funding penalties and referral to the City Attorney's Office for criminal prosecution." (**Ex. 14** at p. 15.) The Rules and Regulations further provide that "if a challenge is

found to be valid, remedies will be narrowly interpreted to affect only the voters, candidates or seats affected" and that "[r]edoing an entire election is not a remedy unless the challenge affected every seat on the ballot." (*Id.*)

- 131. DONE rejected the Panel's new election remedy after finding that "seat," in this election, was analogous to "vote" and because not every vote was cast online, not all votes were affected by the MailChimp campaign. This finding is not supported by the fact that there were two positions in the election, "Yes" and "No" that were both affected by the campaign and that, by analogy, the only seat in the election, formation of a Skid Row Neighborhood Council, was also affected.
- 132. Nothing in the Subdivision Election Rules and Regulations grants DONE discretion to reject the Panel's recommendation, although it does provide that the "Regional Panel determination cannot be appealed." (**Ex. 45** at p. 4.) Per the Subdivision Election Rules and Regulations that DONE is required to *interpret* remedies ("if a challenge is found to be valid, remedies will be narrowly interpreted to affect only the voters, candidates, or seats affected.") (*Id.*)
- law by DONE, who demonstrated a clear bias towards DLANC by green-lighting online voting without advocating for protections for low-income SRNC-FC constituents, by publishing rules that were biased against the SRNC-FC and failing to give the SRNC-FC adequate notice of them, including but not limited to, establishing all but three PUPs outside of the proposed subdivision boundaries, implementing DLANC's voter registration policies, despite discrediting the same requirements in its own report months earlier, utilizing email lists of pre-registered DLANC voters to get out the vote and make last minute changes to polling locations, by readily assisting DLANC constituents with registering to vote while being less helpful to SRNC-FC constituents, by refusing to conduct a recount when presented with evidence of voter fraud, failing to fully investigate the actions upon which Petitioners' Election Challenges were based, including but not limited to failing to issuing a subpoena to MailChimp, and by ignoring the

findings and recommend remedy of the Panel, all of which fatally undermined the SRNC-FC's quest to be certified as the Skid Row Neighborhood Council.

134. Respondents' actions. have denied the SRNC-FC certification as an official government entity and Petitioners Jeff Page and Katherine McNenny and DOES 3-5 admission into the public officers to which they would otherwise have been entitled, causing Petitioners and their constituents, who remain without representation in their government, irreparable injury. Petitioners have exhausted their administrative remedies and respectfully appeal to this Court to assist them in the vindication of their rights and the rights of their constituents.

FIRST CAUSE OF ACTION

(Traditional Mandamus)

[To the City of Los Angeles and DONE for Discrimination Against the Homeless]

- 135. Petitioner incorporates all paragraphs in this Petition by reference, as if they were fully set forth herein, verbatim.
- 136. Petitioners, and each of them, have a beneficial interest in the outcome of the proceedings because DONE's unconstitutional policy towards homeless voters denied and/or abridged their fundamental right to vote and consequently denied Petitioners admission into the public offices to which they would otherwise have been entitled.
- 137. Petitioners, and each of them, do not have any other plain, speedy or adequate remedy at law because DONE's actions denied Petitioners a fair election, and without this Court's intervention, Petitioners will be required to redo their campaign, an endeavor requiring substantial time and resources. Moreover, failing to remedy the wrong committed will irreparably harm an already marginalized community by signaling to them that protecting the wealth of a few is more important than protecting the fundamental rights of the people.
- 138. Petitioners, and each of them, seek each relief under traditional mandamus on the grounds that DONE's rule prohibiting homeless voters from voting online and at PUPs denied them equal protection of the laws with respect to their fundamental right to vote under article I, section 7 of the California Constitution, and the Fourteenth Amendment of the United States Constitution. (See, i.e., *Harper v. Virginia State Board of Elections* (1966) 383 U.S. 663.)

- 139. Specifically, the twelve polling places at which homeless voters were prohibited from voting were open for a total of 216 hours, while the polling location at which they were permitted to vote was open for only four hours. Additionally, homeless voters were not permitted to utilize remote online voting at all, while online voting was regularly available to housed voters with internet access during the online voting period. DONE lacked any compelling interest that could justify its policies.
- 140. Petitioners, and each of them, respectfully request that the Court mandate that DONE void its above policies that unconstitutionally discriminated against homeless voters, and that the vote count in favor of the SRNC-FC be adjusted upwards to remedy DONE's invidious discrimination against the homeless.

SECOND CAUSE OF ACTION

(Traditional Mandamus)

[To the City of Los Angeles and DONE for Violation of Section 2 of the Voting Rights Act]

- 141. Petitioner incorporates all paragraphs in this Petition by reference, as if they were fully set forth herein, verbatim.
- 142. Petitioners, and each of them, have a beneficial interest in the outcome of the proceedings because DONE's unconstitutional policy towards homeless voters denied and/or abridged their fundamental right to vote of the majority Black homeless population, and consequently denied Petitioners admission into the public offices to which they would otherwise have been entitled.
- 143. Petitioners, and each of them, do not have any other plain, speedy or adequate remedy at law because DONE's actions denied Petitioners a fair election, and without this Court's intervention, Petitioners will be required to redo their campaign, an endeavor requiring substantial time and resources. Moreover, failing to remedy the wrong committed will irreparably harm an already marginalized community by signaling to them that the wealth of a few is more important than protecting the fundamental rights of the people. Petitioners seek to represent the interests of the Black community before their City government but must be voted into office before they can do so.

- disparately impacted the voting rights of the 62% Black homeless population. DONE's voter registration requirements, which make presentation of a Photo ID and documentation of Stakeholder status a prerequisite to registration, denied and abridged the voting rights of the Black population in Skid Row. The disparate impact on this population is intimately connected with a long history of discrimination against the Black community in the City of Los Angeles, including and in particular by the criminal justice system, via the cycle of recidivism that often pauses in Skid Row, as well as the long history of underrepresentation of Blacks in City Council, and the lack of local government's responsiveness to the Black community's needs.
- 145. Petitioners, and each of them, respectfully request the Court mandate that DONE void its above policies, which violated section 2 of the Voting Rights Act, and adjust the vote count in favor of the SRNC-FC upwards, to remedy DONE's invidious discrimination against Black voters in Skid Row.

THIRD CAUSE OF ACTION

[To the City of Los Angeles and DONE – Unconstitutional Management of Voter Rolls]

- 146. Petitioner incorporates all paragraphs in this Petition by reference, as if they were fully set forth herein, verbatim.
- 147. Petitioners, and each of them, have a beneficial interest in the outcome of the proceedings because DONE's unconstitutional policy of denied and/or abridged low-income Skid Row community members' fundamental right to vote, and consequently denied Petitioners admission into the public offices to which they would otherwise have been entitled.
- 148. Petitioners, and each of them, do not have any other plain, speedy or adequate remedy at law because DONE's actions denied Petitioners a fair election, and without this Court's intervention, Petitioners will be required to redo their campaign, an endeavor requiring substantial time and resources. Moreover, failing to remedy the wrong committed will irreparably harm an already marginalized community by signaling to them that protecting the wealth of a few is more important than protecting the fundamental rights of the people.

- 149. Petitioners, and each of them, seek each relief under traditional mandamus on the grounds that DONE's management of DLANC and HCNC voter rolls, as it applied to the SRNC-FC Subdivision Election, violated the article I, section 7 of the California Constitution, and the Fourteenth Amendment of the United States Constitution in that it unconstitutionally discriminated against low income voters who do not have ready access to the internet. Specifically,
- A. DONE enabled the City Council and other downtown Los Angeles development interests to reimplement online voting for the SRNC-FC Subdivision Election only, just two weeks before the SRNC-FC Subdivision Election.
- B. DONE determined that DLANC's 2016 Neighborhood Council Election voter registration policies would be the policies applicable in the SRNC-FC Subdivision Election, while at the same time, unilaterally changing previous policies to prohibit homeless voters from voting online or at PUPs.
- C. DONE automatically registered over 1000 DLANC and HCNC constituents for online voting after advising Stakeholders present at the February 15, 2017 Town Hall Meeting that "the only pre-registration, if there were online voting, they could register online, ahead of time."
- D. DONE created and distributed an email list of pre-registered DLANC constituents to DLANC board members, and used the email list to send important updates about the election including detailed instructions about where and how to vote.
- E. DONE worked with DLANC representatives to pick the location of the PUPs, ultimately placing nine of them in locations that were more accessible to DLANC constituents.
- F. DONE did not advise Petitioners about the first of only three PUPs located within the SRNC-FC subdivision boundaries until the day of the PUP.
- G. DONE changed the time of the PUP within the SRNC-FC subdivision boundaries less 24 hours before the PUP was to set-to open.
- H. DONE personally assisted DLANC constituents in obtaining access to their online voting accounts, while directing SRNC-FC constituents who were having difficulty to vote in person.

150. Petitioners, and each of them, respectfully request that the Court mandate that DONE refrain from implementing online voting in Neighborhood Council elections, and adjust the vote count in favor of the SRNC-FC upwards, to remedy DONE's invidious discrimination against low-income voters in Skid Row.

FOURTH CAUSE OF ACTION (Traditional Mandamus)

[To the City Council and DONE for Unlawful Online Voting]

- 151. Petitioner incorporates all paragraphs in this Petition by reference, as if they were fully set forth herein, verbatim.
- 152. Petitioners, and each of them, have a beneficial interest in the outcome of the proceedings because DONE's violation of the law denied Petitioners admission into the public offices to which they would otherwise have been entitled.
- 153. Petitioners, and each of them, do not have any other plain, speedy or adequate remedy at law because DONE's actions denied Petitioners a fair election, and Petitioners would otherwise be required to redo their campaign, an endeavor requiring substantial time and resources.
- 154. Petitioners, and each of them, seek relief under traditional mandamus on the grounds that the City Council and DONE were not legally permitted to implement online voting in the SRNC-FC Subdivision Election. (See *Cal. Elec. Code* § 19209(g) (a voting system pilot program shall not be conducted in a legally binding election without the prior approval of the Secretary of State); and *Cal. Elec. Code* § 19205 (no voting system shall be connected to the internet at any time). While the Los Angeles City Council did approve on-line voting in council file 15-1022-S2 on (Ordinance Number 185606). The City Council did not receive approval from the Secretary of State for its pilot program or the SRNC-FC Subdivision Election.
 - 155. Moreover, DONE's implementation of online voting and use of
- 156. Petitioners respectfully request that the Court mandate the City Council and DONE and ban online voting in all City elections and enjoin DONE from counting votes cast online in the official vote tally of the SRNC-FC Subdivision Election.

FIFTH CAUSE OF ACTION

(Traditional Mandamus) [To Respondent DONE – Unlawful Polling Locations]

- 157. Petitioner incorporates all paragraphs in this Petition by reference, as if they were fully set forth herein, verbatim.
- 158. Petitioners, and each of them, have a beneficial interest in the outcome of the proceedings because DONE's violation of the law denied Petitioners admission into the public offices to which they would otherwise have been entitled.
- 159. Petitioners, and each of them, do not have any other plain, speedy or adequate remedy at law because DONE's actions denied Petitioners a fair election, and Petitioners would otherwise be required to redo their campaign, an endeavor requiring substantial time and resources.
- 160. Los Angeles Municipal Code section 22.819 at all times herein mentioned required DONE to conduct the SRNC-FC Subdivision Election within the boundaries proposed in the SRNC-FC Subdivision Application. (*Ibid.*)
- 161. The boundaries proposed in the SRNC-FC's Subdivision Application were Third Street to the north, Seventh Street to the south, Alameda Street to the east, and Main Street to the west.
- 162. On March 23, 2017 DONE published a revised 2017 Subdivision Election Manual that permitted "PUPs" to be established outside of the boundaries proposed in the SRNC-FC Subdivision Application. DONE thereafter established twelve PUPs, nine of which were outside of the above-alleged boundaries. Petitioners then lost the Subdivision Election by only 60 votes.
- 163. Petitioners therefore respectfully request that the Court void 2017 Subdivision Manual rule permitting PUPs to be located outside of the boundaries of the proposed subdivision and enjoin DONE from counting votes cast at any of the polling locations outside of the subdivision boundary in the official vote tally of the SRNC-FC Subdivision Election.

SIXTH CAUSE OF ACTION (Traditional Mandamus) [To DONE – Vote Recount Under Cal. Elec. Code § 15620]

164. Petitioner incorporates all paragraphs in this Petition by reference, as if they fully set forth herein, verbatim.

- Petitioners, and each of them, have a beneficial interest in the outcome of the proceedings because DONE's violation of the law denied Petitioners admission into the public offices to which they would otherwise have been entitled.
- 166. On April 10, 2017, Petitioner Jeff Page emailed DONE General Manager Grayce Liu and other DONE officials and requested a recount of votes cast in the SRNC-FC Subdivision Election.
 - On April 14, 2017, DONE refused to conduct a recount, stating its policy was to
- 168. Cal. Elec. Code § 15620 entitled Petitioners to a recount if requested within five days of certification of the election results.
- 169. Petitioners, and each of them, do not have any other plain, speedy or adequate remedy at law because on April 14, 2017, DONE refused to conduct a recount.
 - 170. Petitioners, and each of them, have a beneficial interest in an accurate vote tally.
- 171. Petitioners therefore respectfully request that this Court mandate that DONE conduct a recount pursuant to the rules government recount found in California Code of Regulations section 20810 et. al.

SEVENTH CAUSE OF ACTION (Traditional Mandamus) [To Respondent DONE]

- 172. Plaintiffs reallege and incorporate the allegations set forth in this Petition by reference, as if they were fully set forth herein, verbatim.
- 173. Petitioners, and each of them, have a beneficial interest in the outcome of the proceedings.
- 174. Petitioners, and each of them, do not have any other plain, speedy or adequate remedy at law because DONE's actions denied Petitioners a fair election and admission to the offices which they are entitled, and Petitioners would otherwise be required to redo their campaign, an endeavor requiring substantial time and resources.
- 175. Per the 2017 Election Manual, the Regional Grievance Panel was required to determine whether Petitioners' Election Challenges were valid and recommend a remedy "to be implemented by the Department." That remedy was then to be "narrowly interpreted" by

DONE, to affect only the "voters, candidates, or seats affected." Moreover, the 2017 Election

evidence relevant to Petitioners Election Challenges in reviewing DONE's decision.

- 182. Petitioners, and each of them, seek relief under administrative mandamus, in that DONE proceeded without or in excess of jurisdiction by rejecting, instead of interpreting and implementing, the Panel's determination as to the Election Challenges.
- 183. Petitioners, and each of them, seek further relief under administrative mandamus on the grounds that they were denied a fair hearing because DONE was biased against them and that its final determination was an unauthorized appeal that denied Petitioners due process of law.
- 184. Petitioners, and each of them, seek further relief under administrative mandamus in that DONE abused its discretion by not proceeding as required by law.
- 185. Petitioners, and each of them, seek further relief under administrative mandamus in that DONE's decision to reject each of the three Election Challenges was not supported by it and the City Attorneys initial findings that Election Challenges #103-105 were valid challenges with adequate supporting documentation, permitting the Panel to make further findings and issue its decision.
- 186. Petitioners, and each of them, seek further relief under administrative mandamus on the grounds that DONE, in its final determination, abused its discretion by making the following findings which were not supported by the evidence:
- A. DONE made a finding of fact that DLANC President Patti Berman did not "implicitly allow a 'candidate' to use the DLANC logo" because Patti Berman emailed the sender of the first MailChimp email, UniteDTLA@gmail.com, and asked them to refrain from using DLANC's logo and the logo was removed from the MailChimp campaign "within a day, when a new 'Vote No' email was sent out again by Unite DTLA." This finding is not supported by the evidence, which demonstrates the second email was sent by a different entity, DTLAUnited@gmail.com, utilizing a different but confusingly similar looking logo, and that Ms. Berman did not take any further corrective action to address DTLAUnited@gmail.com or its mailing list, and that the purpose of the rule against use of the logo is to prevent "candidates" and their supporters from confusing voters, amongst other, newly uncovered evidence, that demonstrates Ms. Berman did implicitly allow a candidate to use the DLANC logo, and even had

distributed the DLANC email list in the days leading up to the election, and that other DLANC Directors including Rena Leddy and Estela Lopez, were closely connected to an entity known as United Downtown Los Angeles LLC, which was often referred to as "United DTLA." Petitioners accordingly request that the Court exercise its independent judgment to find that DLANC did allow a candidate to use the DLANC logo.

- B. DONE made a finding of fact and/or law that the Election Challenge #104
 Endor2017 Election Manual required DLANC to convene and vote to support a position however
 this finding is not supported by substantial evidence because DONE initially accepted the challenge
 as valid and principles of statutory interpretation require the plain meaning of words to control.
 Petitioners accordingly request that the Court exercise its independent judgment to find DLANC
 did endorse a "candidate."
- C. DONE made a finding of fact that Challenge #105 Electioneering by an Applicant only applied to the SRNC-FC, ignoring the fact that DONE changed the rule from Candidate to Applicant at the last minute to further advantage DLANC, that the new rule was never delivered to Petitioners, and the fact that the Election Challenge Portal continues to permit electioneering challenges against all "Candidates." Petitioners therefore request that the Court exercise its independent judgment to permit electioneering challenges against Candidates.
- D. DONE made a finding of fact that the conduct alleged in the Election Challenges did not make a difference in the "Election Outcome," which is not supported by the fact that 87% of the votes were cast online, and at least one person at the Panel testified that they did not vote as a result of the MailChimp campaign. Petitioners therefore request that the Court exercise its independent judgment, in light of this and newly discovered evidence to determine the extent to which the "Election Outcome" was affected.
- E. DONE made a finding that each "vote" was a "seat" and that therefore, not all seats on the ballot were affected by the Election Challenge. The Panel made findings that DONE negligently amended its election manuals causing confusing, and that the positions "Yes" and "No" were "Candidates" for the purposes of the SRNC-FC Subdivision Election, that each of the Candidates were affected by the conduct alleged in the Election Challenges, and that accordingly

every "seat on the ballot" was affected. Petitioners accordingly request that the Court exercise independent judgment to determine that "Yes" and "No" were Candidates in the election and that therefore, the "No" Candidate is subject to the Election Challenge remedy of disqualification.

187. Petitioners therefore respectfully request that the Court permit limited discovery into evidence that Petitioners, exercising reasonable diligence, could not have produced at the Panel, and permit Petitioners to submit said evidence to the Court for the exercise of its independent judgment as to who was responsible for and how many votes were affected by the conduct raised in the Election Challenges. Petitioners further request that the Court mandate DONE reinstitute the Panel's findings that the Election Challenges be sustained, by changing the determination on the EmpowerLA.com website.

NINTH CAUSE OF ACTION (Declaratory Relief)

- 188. Plaintiffs reallege and incorporate the allegations set forth in this Petition by reference, as if they were fully set forth herein, verbatim.
- 189. Section 904(d) of the Los Angeles City Charter provides that the Department of Neighborhood Empowerment's "[r]egulations must ensure that all areas of the City are given an equal opportunity to form neighborhood councils." Moreover, section 904(f) states that the "Regulations shall not restrict the method by which the members of a neighborhood council are chosen, if the process otherwise satisfies the requirements of this Article."
- 190. When DONE revised its 2016 Election Manual to create the 2017 Election Manual, DONE established a regulation that requires a given subdivision election "to follow the election procedures of Neighborhood Councils that are subject to the proposed subdivision."
- 191. The SRNC-FC alleges that it was denied an equal opportunity to form a neighborhood council when it was required to utilize existing election procedures chosen by DLANC, the neighborhood council from which it sought to subdivide. This is particularly true because the community that the SRNC-FC sought to represent is a low-income and traditionally marginalized community, whereas the surrounding community is a more affluent community that would not be disenfranchised by its own election procedures, such as the ability to vote

online or the requirement that stakeholders document, rather than self-affirm, their stakeholder status.

- 192. The SRNC-FC further alleges that because it called the Subdivision Election, the requirement that it follow DLANC's election procedures was a regulation that improperly "restrict[ed] the method by which the members of a neighborhood council are chosen" in violation of section 904(f).
- 193. The SRNC-FC seeks a declaration that DONE's policy regarding choice of election procedures in a given subdivision election violates section 904(d) and (f) of the City Charter in that it fails to provide all "areas of Los Angeles...an equal opportunity to form Neighborhood Councils" and that it is an unlawful restriction on the method by which members of a Neighborhood Councils are chosen" and that the only acceptable policy is to permit Subdivision Applicants to choose election procedures that are sensitive to the needs of the community that they seek to represent.

PRAYER FOR RELIEF

WHEREFORE, Petitioner prays judgment as follows:

- 1. For a Preemptory Writ of Mandate directing DONE to discontinue its policies that deny or abridge homeless persons fundamental right to vote under article I, section 7 of the California Constitution and section 2 of the Voting Rights Act. by refusing to let them vote at every polling location.
- 2. For a Preemptory Writ of Mandate directing DONE to discontinue its policies which violate section 2 of the Voting Rights Act.
- 3. For a Preemptory Writ of Mandate directing DONE to discontinue its photo ID and voter registration requirements that violate article I, section 7 of the California Constitution, the Fourteenth Amendment of the United States Constitution.
- 4. For a Preemptory Writ of Mandate directing DONE to adjust the "Yes" vote count upwards by at least ten percent (10%), to remedy DONE's invidious discrimination against homeless, Black, and low-income voters in Skid Row.

For a Preemptory Writ of Mandate directing the City Council to void its action

5.



2017 Greater Los Angeles Homeless Count - Data Summary

Skid Row

Downletter.	Chalter d	Unabaltanad	Tatel	Prevalence of
Population All Persons	Sheltered	Unsheltered	Total	Homeless Pop. (%)
	2.000	1.064	4.622	4.000/
All Persons	2,669	1,964	4,633	100%
Household Composition	2.450	1.047	4.406	050/
Individuals (Those not in family units)	2,459	1,947	4,406	95%
Adults (Over 24)	2,362	1,922	4,284	92%
Transition Age Youth (18-24)	97	25	122	3%
Chronically Homeless	241	1,062	1,303	28%
Veterans	271	174	445	10%
Unaccompanied Minors (Under 18)	0	0	0	0%
Family Members (Those in family units)	210	17	227	5%
Adult Family Members (Over 24 Head of Household)	200	17	217	5%
Young Family Members (18-24 Head of Household)	10	0	10	0%
Children in Families (Under 18)	137	11	148	3%
Chronically Homeless	0	0	0	0%
Veterans	0	0	0	0%
Veterans				
All Veterans	271	174	445	10%
Chronically Homeless Veterans	7	97	104	2%
Gender				
Male	2,116	1,390	3,506	76%
Female	527	546	1,073	23%
Transgender	25	24	49	1%
Does not identify as male, female, or transgender	1	4	5	0.1%
Race/Ethnicity				
American Indian/ Alaska Native	14	41	55	1%
Asian	44	18	62	1%
Black/African American	1,456	1,414	2,870	62%
Hispanic/ Latino	662	314	976	21%
Native Hawaiian/ Other Pacific Islander	11	5	16	0.3%
White	432	145	577	12%
Multi-Racial/Other	50	27	77	2%
Age				
Under 18	137	11	148	3%
18 - 24	104	25	129	3%
25 - 54	1,611	1,320	2,931	63%
55 - 61	539	463	1,002	22%
62 and Over	278	145	423	9%
Chronically Homeless				
Individuals (Those not in family units)	241	1,062	1,303	28%
Family Members (Those in family units)	0	0	0	0%
Total Chronically Homeless Persons	241	1,062	1,303	28%

Health and Disability					
Health/Disability Indicator ¹	Sheltered	Unsheltered	Total	Prevalence in Over 18 Homeless Pop. (%)	
Substance Use Disorder	102	643	745	17%	
Brain Injury	599	167	766	17%	
HIV/AIDS	63	57	120	3%	
Serious Mental Illness	201	1,088	1,289	29%	
Developmental Disability	304	152	456	10%	
Physical Disability	233	568	801	18%	

Domestic/Intimate Partner Violence					
				Prevalence in Over 18	
Domestic/Intimate Partner Violence	Sheltered	Unsheltered	Total	Homeless Pop. (%)	
Domestic/Intimate Partner Violence Experience	271	860	1,131	25%	

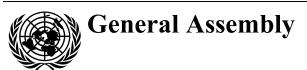
Notes:

1. Health/Disability indicators are not mutually exclusive (a person may report more than one). Numbers will not add up to 100%.

Prepared by Los Angeles Homeless Services Authority (June 2017)

Data from 2017 Greater Los Angeles Point-In-Time Count conducted in January, 2017. Visit http://www.lahsa.org/homeless-count/ to view and download data.

United Nations A/HRC/38/33/Add.1



Distr.: General 4 May 2018

Original: English

Human Rights Council

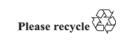
Thirty-eighth session
18 June–6 July 2018
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Report of the Special Rapporteur on extreme poverty and human rights on his mission to the United States of America

Note by the Secretariat

The Secretariat has the honour to transmit to the Human Rights Council the report of the Special Rapporteur on extreme poverty and human rights, Philip Alston, on his mission to the United States of America from 1 to 15 December 2017. The purpose of the visit was to evaluate, and report to the Human Rights Council on, the extent to which the Government's policies and programmes aimed at addressing extreme poverty are consistent with its human rights obligations and to offer constructive recommendations to the Government and other stakeholders.

GE.18-07152(E)





Report of the Special Rapporteur on extreme poverty and human rights on his mission to the United States of America*

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^{*} Circulated in the language of submission and in Spanish only.

I. Introduction

- 1. The Special Rapporteur on extreme poverty and human rights visited the United States of America from 1 to 15 December 2017, in accordance with Human Rights Council resolution 35/19. The purpose of the visit was to report to the Council on the extent to which the Government's policies and programmes relating to extreme poverty are consistent with its human rights obligations and to offer constructive recommendations to the Government and other stakeholders. The Special Rapporteur is grateful to the Government for inviting him, for facilitating his visit and for continuing its cooperation with the Council's accountability mechanisms that apply to all States.¹
- 2. During his visit, the Special Rapporteur met with government officials at the federal, state, county and city levels, members of Congress, representatives of civil society, academics and people living in poverty. He also received more than 40 detailed written submissions in advance of his visit.² He visited California (Los Angeles and San Francisco), Alabama (Lowndes County and Montgomery), Georgia (Atlanta), Puerto Rico (San Juan, Guayama and Salinas), West Virginia (Charleston) and Washington, D.C. He is deeply grateful to all those who organized community consultations for him in these locations, and to the US Human Rights Network, which devoted a full day of its 2017 national convening in Atlanta to his country visit.
- 3. The strict word limit for this report makes it impossible to delve deeply into even the key issues. Fortunately, there is already much excellent scholarship and many civil society analyses of the challenges of poverty in the United States.³ In the present report, the Special Rapporteur aims to bring together some of those analyses, identify the key poverty-related problems and explain the relevance of the international human rights obligations of the United States in this context. As with all such country visits, the consideration of the report by the Human Rights Council will enable other States to examine the extent to which the United States is living up to its international obligations.

II. Overview

4. The United States is a land of stark contrasts. It is one of the world's wealthiest societies, a global leader in many areas, and a land of unsurpassed technological and other forms of innovation. Its corporations are global trendsetters, its civil society is vibrant and sophisticated and its higher education system leads the world. But its immense wealth and expertise stand in shocking contrast with the conditions in which vast numbers of its citizens live. About 40 million live in poverty, 18.5 million in extreme poverty, and 5.3 million live in Third World conditions of absolute poverty. It has the highest youth poverty rate in the Organization for Economic Cooperation and Development (OECD), and the highest infant mortality rates among comparable OECD States. Its citizens live shorter and sicker lives compared to those living in all other rich democracies, eradicable tropical diseases are increasingly prevalent, and it has the world's highest incarceration rate, one of

¹ The Special Rapporteur is grateful for the superb research and analysis undertaken by Christiaan van Veen, Anna Bulman, Ria Singh Sawhney and staff of the United Nations Office of the High Commissioner for Human Rights.

² Submissions available at www.ohchr.org/EN/Issues/Poverty/Pages/Callforinput.aspx.

See, for example: Kathryn J. Edin and H. Luke Shaefer, \$2.00 a Day: Living on Almost Nothing in America (New York, Mariner Books, 2016); Matthew Desmond, Evicted: Poverty and Profit in the American City (New York, Crown Publishers, 2016); Sasha Abramsky, The American Way of Poverty: How the Other Half Still Lives (New York, Nation Books, 2013); and Peter Edelman, Not a Crime to Be Poor: The Criminalization of Poverty in America (The New Press, New York, 2017).

⁴ Jessica L. Semega, Kayla R. Fontenot and Melissa A. Kollar, *Income and Poverty in the United States:* 2016 — Current Population Reports (United States Census Bureau, September 2017), pp. 12 and 17. Available at www.census.gov/content/dam/Census/library/publications/2017/demo/P60-259.pdf. See also Angus Deaton, "The U.S. can no longer hide from its deep poverty problem", *New York Times*, 24 January 2018.

the lowest levels of voter registrations in among OECD countries and the highest obesity levels in the developed world.

- 5. The United States has the highest rate of income inequality among Western countries.⁵ The \$1.5 trillion in tax cuts in December 2017 overwhelmingly benefited the wealthy and worsened inequality. The consequences of neglecting poverty and promoting inequality are clear. The United States has one of the highest poverty and inequality levels among the OECD countries, and the Stanford Center on Inequality and Poverty ranks it 18th out of 21 wealthy countries in terms of labour markets, poverty rates, safety nets, wealth inequality and economic mobility. But in 2018 the United States had over 25 per cent of the world's 2,208 billionaires.⁶ There is thus a dramatic contrast between the immense wealth of the few and the squalor and deprivation in which vast numbers of Americans exist. For almost five decades the overall policy response has been neglectful at best, but the policies pursued over the past year seem deliberately designed to remove basic protections from the poorest, punish those who are not in employment and make even basic health care into a privilege to be earned rather than a right of citizenship.
- 6. The visit of the Special Rapporteur coincided with the dramatic change of direction in relevant United States policies. The new policies: (a) provide unprecedentedly high tax breaks and financial windfalls to the very wealthy and the largest corporations; (b) pay for these partly by reducing welfare benefits for the poor; (c) undertake a radical programme of financial, environmental, health and safety deregulation that eliminates protections mainly benefiting the middle classes and the poor; (d) seek to add over 20 million poor and middle class persons to the ranks of those without health insurance; (e) restrict eligibility for many welfare benefits while increasing the obstacles required to be overcome by those eligible; (f) dramatically increase spending on defence, while rejecting requested improvements in key veterans' benefits; (g) do not provide adequate additional funding to address an opioid crisis that is decimating parts of the country; and (h) make no effort to tackle the structural racism that keeps a large percentage of non-Whites⁷ in poverty and near poverty.
- 7. In a 2017 report, the International Monetary Fund (IMF) captured the situation even before the impact of these aggressively regressive redistributive policies had been felt, stating that the United States economy "is delivering better living standards for only the few", and that "household incomes are stagnating for a large share of the population, job opportunities are deteriorating, prospects for upward mobility are waning, and economic gains are increasingly accruing to those that are already wealthy".⁸
- 8. The share of the top 1 per cent of the population in the United States has grown steadily in recent years. In 2016 they owned 38.6 per cent of total wealth. In relation to both wealth and income the share of the bottom 90 per cent has fallen in most of the past 25 years. The tax reform will worsen this situation and ensure that the United States remains the most unequal society in the developed world. The planned dramatic cuts in welfare will essentially shred crucial dimensions of a safety net that is already full of holes. Since economic and political power reinforce one another, the political system will be even more vulnerable to capture by wealthy elites.
- 9. This situation bodes ill not only for the poor and middle class in America, but for society as a whole, with high poverty levels "creating disparities in the education system, hampering human capital formation and eating into future productivity". There are also

World Income Inequality Database, available at www.wider.unu.edu/project/wiid-world-income-inequality-database.

⁶ See www.forbes.com/sites/forbespr/2018/03/06/forbes-32nd-annual-worlds-billionairesissue/#43e9e95a10e0.

In the present report, references to race or ethnicity include the following classifications used by the United States Census Bureau: American Indian or Alaska Native, Asian, Black and White (see www.census.gov/topics/population/race/about.html).

⁸ IMF, "United States: staff report for the 2017 Article IV Consultation", para. 14.

⁹ Jesse Bricker and others, "Changes in U.S. family finances from 2013 to 2016: evidence from the Survey of Consumer Finances", *Federal Reserve Bulletin* (September 2017), vol. 103, No. 3, p. 10.

¹⁰ IMF, "United States: staff report", para. 18.

global consequences. The tax cuts will fuel a global race to the bottom, thus further reducing the revenues needed by Governments to ensure basic social protection and meet their human rights obligations. And the United States remains a model whose policies other countries seek to emulate.

- 10. Defenders of the status quo point to the United States as the land of opportunity and the place where the American dream can come true because the poorest can aspire to the ranks of the richest. But today's reality is very different. The United States now has one of the lowest rates of intergenerational social mobility of any of the rich countries. In Zip codes, which are usually reliable proxies for race and wealth, are tragically reliable predictors of a child's future employment and income prospects. High child and youth poverty rates perpetuate the intergenerational transmission of poverty very effectively, and ensure that the American dream is rapidly becoming the American illusion. The equality of opportunity, which is so prized in theory, is in practice a myth, especially for minorities and women, but also for many middle-class White workers.
- 11. New technologies now play a central role in either exacerbating or reducing poverty levels in the United States. Some commentators are singularly optimistic in this regard and highlight the many potential benefits of new technologies, including those based on artificial intelligence, for poverty reduction efforts in fields as diverse as health care, transportation, the environment, criminal justice, and economic inclusion. ¹² Others acknowledge the downsides, and especially the potential negative effects of automation and robotization on future employment levels and job security. ¹³ But remarkably little attention has been given to the specific impact of these new technologies on the lives of the poor in American society today. ¹⁴ Such inquiries have significance well beyond that pertaining to the poor, since experience shows that those in poverty are often a testing ground for practices and policies subsequently applied more broadly. In the present report, the Special Rapporteur seeks to stimulate deeper reflection on the impact of new technologies on the human rights of the poorest.

III. Human rights dimension

12. Successive administrations, including the current one, have determinedly rejected the idea that economic and social rights are full-fledged human rights, despite their clear recognition not only in key treaties that the United States has ratified, such as the Convention on the Elimination of All Forms of Racial Discrimination, but also in the Universal Declaration of Human Rights, which the United States has long insisted other countries must respect. But denial does not eliminate responsibility, nor does it negate obligations. International human rights law recognizes a right to education, a right to health care, a right to social protection for those in need and a right to an adequate standard of living. In practice, the United States is alone among developed countries in insisting that, while human rights are of fundamental importance, they do not include rights that guard against dying of hunger, dying from a lack of access to affordable health care or growing up in a context of total deprivation. Since the United States has refused to accord domestic recognition to the economic and social rights agreed by most other States in the

Raj Chetty and others, "The fading American dream: trends in absolute income mobility since 1940", National Bureau of Economic Research Working Paper 22910 (December 2016), p. 2. See also Jonathan Davis and Bhashkar Mazumder, "The decline in intergenerational mobility after 1980", Opportunity & Inclusive Growth Institute working paper (29 March 2017), available at www.minneapolisfed.org/institute/working-papers/17-21.pdf.

Executive Office of the President, National Science and Technology Council Committee on Technology, "Preparing for the future of artificial intelligence" (October 2016), p. 1. See also Elisabeth A. Mason, "A.I. and big data could power a new war on poverty", *New York Times*, 1 January 2018.

Charles Varner, Marybeth Mattingly and David Grusky, "The facts behind the visions", *Pathways* (Spring 2017), p. 4.

¹⁴ Cathy O'Neil, "The ivory tower can't keep ignoring tech", New York Times, 14 November 2017.

International Covenant on Economic, Social and Cultural Rights and other treaties, ¹⁵ except for the recognition of some social rights, and especially the right to education, in state constitutions, the primary focus of the present report is on those civil and political rights reflected in the United States Bill of Rights and in the International Covenant on Civil and Political Rights, which the United States has ratified.

IV. Who are "the poor"?

- 13. In thinking about poverty, it is striking how much weight is given to caricatured narratives about the purported innate differences between rich and poor that are consistently peddled by some politicians and media. The rich are industrious, entrepreneurial, patriotic and the drivers of economic success. The poor are wasters, losers and scammers. As a result, money spent on welfare is money down the drain. If the poor really want to make it in the United States, they can easily do so: they really can achieve the American dream if only they work hard enough. The reality, however, is very different. Many of the wealthiest citizens do not pay taxes at the rates that others do, hoard much of their wealth offshore and often make their profits purely from speculation rather than contributing to the overall wealth of the American community.
- 14. In imagining the poor, racist stereotypes are usually not far beneath the surface. The poor are overwhelmingly assumed to be people of colour, whether African Americans or Hispanic "immigrants". The reality is that there are 8 million more poor Whites than there are poor Blacks. The face of poverty in America is not only Black or Hispanic, but also White, Asian and many other backgrounds.
- 15. Similarly, large numbers of welfare recipients are assumed to be living high on "the dole". Some politicians and political appointees with whom the Special Rapporteur spoke were completely sold on the narrative of such scammers sitting on comfortable sofas, watching cable television or spending their days on their smartphones, all paid for by welfare. The Special Rapporteur wonders how many of those politicians have ever visited poor areas, let alone spoken to those who dwell there. There are anecdotes aplenty, but little evidence. In every society, there are those who abuse the system, as much in the upper income levels as in the lower. But in reality, the poor are overwhelmingly those born into poverty, or those thrust there by circumstances largely beyond their control, such as physical or mental disabilities, divorce, family breakdown, illness, old age, unliveable wages or discrimination in the job market.

V. Current extent of poverty in the United States of America

16. There is considerable debate over the extent of poverty in the United States, but the present report relies principally upon official government statistics, especially from the United States Census Bureau. It defines and quantifies poverty in America based on "poverty thresholds" or official poverty measures, updated each year. These thresholds have been used since President Lyndon B. Johnson's war on poverty in the 1960s and use a set of dollar value thresholds that vary by family size and composition to determine who is in poverty. Following much criticism of the official poverty measures, the Census Bureau developed a supplemental poverty measure, which is preferred by many experts. According to the official poverty measures, in 2016, 12.7 per cent of Americans were living in poverty; according to the supplemental poverty measure, the figure was 14 per cent. On the supplemental poverty measure, the figure was 14 per cent.

The United States is the only country in the world that has not ratified the Convention on the Rights of the Child, which protects the economic and social rights of children.

¹⁶ Semega, Fontenot and Kollar, *Income and Poverty*, p. 12.

¹⁷ Ibid., p. 43.

Written submission by the Georgetown Center on Poverty and Inequality, 4 October 2017, p. 2.

¹⁹ Semega, Fontenot and Kollar, *Income and Poverty*, p. 12.

Liana Fox, "The supplemental poverty measure" (September 2017), p. 1. Available at www.census.gov/content/dam/Census/library/publications/2017/demo/p60-261.pdf.

VI. Problems with existing governmental policies

17. There is no magic recipe for eliminating extreme poverty, and each level of government must make its own good-faith decisions. At the end of the day, however, particularly in a rich country like the United States, the persistence of extreme poverty is a political choice made by those in power. With political will, it could readily be eliminated. What is known, from long experience and in the light of the Government's human rights obligations, is that there are indispensable ingredients for a set of policies designed to eliminate poverty. They include: democratic decision-making, full employment policies, social protection for the vulnerable, a fair and effective justice system, gender and racial equality, respect for human dignity, responsible fiscal policies and environmental justice. As shown below, the United States falls well short on each of these measures.

A. Undermining of democracy

- 18. The cornerstone of American society is democracy, but it is being steadily undermined, and with it the human right to political participation protected in article 25 of the International Covenant on Civil and Political Rights. The principle of one person, one vote applies in theory, but is increasingly far from the reality.
- 19. In a democracy, the task of government should be to facilitate political participation by ensuring that all citizens can vote and that their votes will count equally. However, in the United States there is overt disenfranchisement of more than 6 million felons and exfelons,²¹ which predominantly affects Black citizens since they are the ones whose conduct is often specifically targeted for criminalization. In addition, nine states currently condition the restoration of the right to vote after prison on the payment of outstanding fines and fees. A typical outcome is that seen in Alabama, where a majority of all ex-felons cannot vote.²²
- 20. Then there is covert disenfranchisement, which includes the dramatic gerrymandering of electoral districts to privilege particular groups of voters, the imposition of artificial and unnecessary voter identification requirements, the blatant manipulation of polling station locations, the relocation of Departments of Motor Vehicles' offices to make it more difficult for certain groups to obtain identification, and the general ramping up of obstacles to voting, especially for those without resources. The net result is that people living in poverty, minorities and other disfavoured groups are being systematically deprived of their right to vote.
- 21. It is thus unsurprising that the United States has one of the lowest turnout rates in elections among developed countries, with only 55.7 per cent of the voting-age population casting ballots in the 2016 presidential election.²³ Registered voters represent a much smaller share of potential voters in the United States than in just about any other OECD country. Only about 64 per cent of the United States voting-age population was registered in 2016, compared with 91 per cent in Canada and the United Kingdom of Great Britain and Northern Ireland, 96 per cent in Sweden and nearly 99 per cent in Japan. Low turnouts are also explained by the perception that election outcomes will have no impact on the lives of poor people. One politician remarked to the Special Rapporteur on how few campaign appearances most politicians bother to make in overwhelmingly poor districts, which reflects the broader absence of party representation for low-income and working-class voters.²⁴

²¹ The Sentencing Project, "6 million lost voters: state-level estimates of felony disenfranchisement, 2016"

Marc Meredith and Michael Morse, "Discretionary disenfranchisement: the case of legal financial obligations" (January 2017). Available at www.sas.upenn.edu/~marcmere/workingpapers/ DiscretionaryLFOs.pdf.

²³ Pew Research Center, "U.S. trails most developed countries in voter turnout" (15 May 2017).

See also Karen Long Jusko, Who Speaks for the Poor? Electoral Geography, Party Entry, and Representation (Cambridge University Press, 2017).

- 22. The link between poverty and the absence of political rights is perfectly illustrated by Puerto Rico. If it were a state, it would be the poorest in the Union. But it is not a state, it is a mere "territory". Puerto Ricans who live on the island have no representative with full voting rights in Congress and cannot vote in presidential elections, although they can vote in Presidential primaries. In a country that likes to see itself as the oldest democracy in the world and a staunch defender of political rights on the international stage, more than 3 million people who live on the island have no real power in their own capital.
- 23. Puerto Rico has a fiscal deficit and a political rights deficit, and the two are not easily disentangled. The Special Rapporteur met with the Executive Director of the Financial Oversight and Management Board that was imposed by Congress in 2016 on Puerto Rico as part of the Puerto Rico Oversight, Management, and Economic Stability Act. There is little indication that social protection concerns feature in a meaningful way in the Board's analyses. At a time when even the IMF is insisting that social protection should be explicitly factored into prescriptions for fiscal adjustment (i.e., austerity), the Board should take account of human rights and social protection concerns as it contemplates farreaching decisions on welfare reform, minimum wage and labour market deregulation.
- 24. It is not for the Special Rapporteur to suggest any resolution to the hotly contested issue of the constitutional status of Puerto Rico. Many interlocutors, however, made clear the widespread feeling that Puerto Ricans consider their territory to be colonized and that the United States Congress is happy to leave them in a limbo in which they have neither meaningful Congressional representation nor the ability to govern themselves. In the light of recent Supreme Court jurisprudence and Congress's adoption of the Puerto Rico Oversight, Management, and Economic Stability Act there seems to be good reason for the Special Political and Decolonization Committee of the United Nations to conclude that the island is no longer a self-governing territory.

B. Shortcomings in basic social protection

- 25. It is sometimes argued that President Johnson's war on poverty has failed miserably because, despite the "trillions of taxpayer dollars" spent on welfare programmes over the past five decades, the official poverty rate has remained largely unchanged.²⁵ The proposed solution then is to downsize the safety net by making it more "efficient", "targeted" and "evidence-based", while underlining the need to move "from welfare to work".²⁶
- 26. These ideas underpin both Speaker Paul Ryan's blueprint for welfare reform²⁷ and the budget proposed by President Donald Trump for the fiscal year 2019, which decries "stubbornly high" enrolment in welfare programmes, and describes millions of Americans as being "in a tragic state of dependency on a welfare system that does not reward work, and in many cases, pays people not to work".²⁸
- 27. The available evidence, however, points in a very different direction. A 2014 White House report concluded that the war on poverty had been highly successful.²⁹ Based on the supplemental poverty measure, poverty rates in the United States fell from 26 per cent in 1967 to 16 per cent in 2012 a decline of nearly 40 per cent.³⁰ The Census Bureau calculates that programmes such as Social Security, refundable tax credits (earned income tax credit), the Supplemental Nutrition Assistance Program, the Supplemental Security

²⁵ See, for example, Task Force on Poverty, Opportunity, and Upward Mobility, A Better Way: Our Vision for a Confident America (June, 2016).

²⁶ Ibid.

David Morgan, "Speaker Ryan pledges to work with Trump on bold agenda", *Reuters*, 9 November 2016.

Office of Management and Budget, Efficient, Effective, Accountable: An American Budget (2018), p. 3.

²⁹ Council of Economic Advisors, *The War on Poverty 50 Years Later: A Progress Report* (2014), p. 45.

Christopher T. Wimer and others, "Trends in poverty with an anchored supplemental poverty measure", Colombia Population Research Center working paper (2013).

Income programme and housing subsidies collectively prevented about 44 million Americans from falling into poverty in 2016.³¹

28. The following sections address shortcomings in both the existing social protection system for the poorest Americans and in the assumptions underlying the administration's policy responses.

An illusory emphasis on employment

- 29. Proposals to slash the meagre welfare arrangements that currently exist are now sought to be justified primarily on the basis that the poor need to leave welfare and go to work. The assumption, especially in a thriving economy, is that there are a great many jobs out there waiting to be filled by individuals with low educational qualifications, often with disabilities of one kind or another, sometimes burdened with a criminal record (often poverty related), without meaningful access to health care, and with no training or effective assistance to obtain employment. It also assumes that the jobs they could get will make them independent of state assistance.
- 30. In reality, the job market for such people is extraordinarily limited, and even more so for those without basic forms of social protection and support. The case of Walmart, the largest employer in the United States, is instructive. Many of its workers cannot survive on a full-time wage in the absence of food stamps. This fits in a broader trend: the share of households that, while having earnings, also receive nutrition assistance rose from 19.6 per cent in 1989 to 31.8 per cent in 2015.³² Up to \$6 billion annually goes from the Supplemental Nutrition Assistance Program and other public assistance programmes to support workers in firms like Walmart, providing a huge indirect subsidy to the relevant corporations.³³ Walmart lobbied heavily for tax reform,³⁴ from which it will save billions, and then announced it would spend an additional \$700 million in increasing employee wages and benefits for its workers.³⁵ But the resulting rise in the debt of the United States, due in part to the tax reform,³⁶ has then been used to justify a proposed 30 per cent cut in Supplemental Nutrition Assistance Program funding over a decade.³⁷
- 31. In terms of job availability, the reality is very different from that portrayed by the welfare-to-work proponents. Despite the strong economy, there has been a long-term decline in employment rates; by 2017, only 89 per cent of males aged 25 to 54 were employed. 38 While "supply" factors such as growing rates of disability, increasing geographic immobility and higher incarceration rates are relevant, a 2016 White House report concluded that reductions in labour supply were far less important than reductions in labour demand in accounting for the long-run trend. 39 In the future, new technologies, such as self-driving cars, 3D printers and robot-staffed factories and warehouses, may lead to a continuing decline in demand for low-skilled labour. Leading poverty experts have concluded that, because of this rising joblessness, the poverty population in the United States "is becoming a more deprived and destitute class, one that's disconnected from the economy and unable to meet basic needs". 40

³¹ Fox, "The Supplemental Poverty Measure", p. 10.

³² See www.ers.usda.gov/data-products/chart-gallery/gallery/chart-detail/?chartId=82672.

Clare O'Connor, "Report: Walmart workers cost taxpayers \$6.2 billion in public assistance", Forbes, 15 April 2014.

³⁴ Center for Responsive Politics, reporting on lobbying activity on tax issues in 2017. Available at www.opensecrets.org/lobby/issuesum.php?id=TAX&year=2017.

Michael Corkery, "Walmart's bumpy day: from wage increase to store closings", New York Times, 11 January 2018.

³⁶ "Growing the deficit: the Senate passes a tax bill", *Economist*, 2 December 2017.

Julie Hirschfeld Davis, "White House proposes \$4.4 trillion budget that adds \$7 trillion to deficits," New York Times, 12 February 2018.

Varner, Mattingly and Grusky, "The facts", p. 4.

³⁹ Council of Economic Advisers, "The long-term decline in prime-age male labor force participation" (2016)

⁴⁰ Varner, Mattingly and Grusky, "The facts", p. 4.

32. Earlier experiments with welfare reform, particularly the Clinton-era replacement of Aid to Families with Dependent Children with the Temporary Assistance for Needy Families programme, should caution present-day proponents of "welfare to work". The impact of the 1996 welfare reform on poor, single mothers has been especially dramatic. Many took low-wage jobs after the reform and "the increase in their earnings was often cancelled out by their loss of welfare benefits, leaving their overall income relatively unchanged". The situation of single mothers who could not find work deteriorated. As a result, there was a 748 (!) per cent increase in the number of children of single-mother families experiencing annual \$2-a-day poverty between 1995 and 2012.

Use of fraud as a smokescreen

- 33. Calls for welfare reform take place against a constant drumbeat of allegations of widespread fraud in the system. Government officials warned the Special Rapporteur that individuals are constantly coming up with new schemes to live high on the welfare hog, and that individual states are gaming the welfare system to cheat the federal Government. The contrast with tax reform is instructive. In the tax context, immense faith is placed in the goodwill and altruism of the corporate beneficiaries, while with welfare reform the opposite assumptions apply. The reality, of course, is that there are good and bad corporate actors and there are good and bad welfare claimants. But while funding for the Internal Revenue Service to audit wealthy taxpayers has been reduced, efforts to identify welfare fraud are being greatly intensified.⁴⁴ Revelations of widespread tax avoidance by companies and high-wealth individuals draw no rebuke, only acquiescence and the maintenance of the loopholes and other arrangements designed to facilitate such arrangements. But revelations of food stamps being used for purposes other than staying alive draw howls of outrage from government officials and their media supporters.
- 34. Yet, despite repeated requests to officials for statistics on welfare fraud, the Special Rapporteur has received little convincing evidence. The Government collects data on "improper payments" made by federal departments and agencies, but this is a much broader concept than fraud. A 2016 Government Accountability Office report showed an error rate in 2015 of 3.66 per cent for the Supplemental Nutrition Assistance Program and 4.01 per cent for public housing and rental assistance. By contrast, the error rate for travel pay by the Department of Defense was 8 per cent.⁴⁵
- 35. The percentage of Supplemental Nutrition Assistance Program benefit dollars issued to ineligible households or to eligible households in excessive amounts was as low as 2.96 per cent in 2014. 46 According to the Center on Budget and Policy Priorities, the overwhelming majority of those errors result from mistakes by different parties, rather than from dishonesty or fraud by recipients. 47 Almost 60 per cent of the dollar value of overpayments by states resulted from mistakes by the government, rather than recipients. 48 In 2015, 55 per cent of 723,111 investigations found no fraud. 49

A. Moffitt and Stephanie Garlow, "Did welfare reform increase employment and reduce poverty?" *Pathways* (Winter, 2018), p. 19.

⁴² Ibid.

⁴³ H. Luke Shaefer and Kathryn Edin, "Welfare reform and the families it left behind", *Pathways* (Winter, 2018), p. 24.

Arthur Delaney, "Rich fraud, poor fraud: the GOP's double standard on tax mistakes", *Huffington Post*, 14 December 2017.

⁴⁵ United States Government Accountability Office, report to Congressional committees on improper payments (June 2016), appendix III.

See https://fns-prod.azureedge.net/sites/default/files/snap/2014-rates.pdf. See also Center on Budget and Policy Priorities, "SNAP: combating fraud and improving program integrity without weakening success", 9 June 2016, p. 10. Available at www.cbpp.org/sites/default/files/atoms/files/6-9-16fatestimony.pdf.

⁴⁷ Center on Budget and Policy Priorities, "SNAP: combating fraud", p. 11.

⁴⁸ Ibid.

⁴⁹ See https://fns-prod.azureedge.net/sites/default/files/snap/2015-State-Activity-Report.pdf.

36. Fraud rhetoric is commonly used against persons with disabilities, large numbers of whom allegedly receive disability allowances when they could actually be working full time. When the Special Rapporteur probed into the reasons for the very high rates of persons with disabilities in West Virginia receiving benefits, government officials explained that most recipients had attained low levels of education, worked in demanding manual labour jobs and were often exposed to risks that employers were not required to guard against.

Social protection for children

- 37. Appropriate cognitive and socio-emotional stimulation, adequate nutrition and health care, and stable and secure environments early in life are all essential ingredients in maximizing children's potential and achieving optimal life outcomes. Empirical evidence suggests strong correlations between early childhood poverty and adverse life outcomes, particularly those related to achievement skills and cognitive development.
- 38. From this perspective, the shockingly high number of children living in poverty in the United States demands urgent attention. In 2016, 18 per cent of children (13.3 million) were living in poverty, and children comprised 32.6 per cent of all people in poverty. About 20 per cent of children live in relative income poverty, compared to the OECD average of 13 per cent. Contrary to stereotypical assumptions, 31 per cent of poor children are White, 24 per cent are Black, 36 per cent are Hispanic and 1 per cent are indigenous. This is consistent with the fact that the United States ranks 25th out of 29 industrialized nations in investing in early childhood education.
- 39. Poor children are also significantly affected by the country's crises regarding affordable and adequate housing. On a given night in 2017, about 21 per cent (or 114,829) of homeless individuals were children. ⁵⁴ But this official figure may be a severe underestimate, since homeless children temporarily staying with friends, family or in motels are excluded from the point-in-time count. ⁵⁵ According to the Department of Education, the number of homeless students identified as experiencing homelessness at some point during the 2015/16 school year was 1,304,803. ⁵⁶
- 40. The infant mortality rate, at 5.8 deaths per 1,000 live births, is almost 50 per cent higher than the OECD average of 3.9.⁵⁷ On a positive note, the United States has increased health insurance coverage for children through the expansion of Medicaid and the Children's Health Insurance Program, bringing child health insurance rates to a historic high of 95 per cent.⁵⁸ These achievements are, however, under threat, as discussed below.
- 41. In addition, the Supplemental Nutrition Assistance Program kept 3.8 million children out of poverty in 2015,⁵⁹ and in 2016, the earned income tax credit and the child tax credit lifted a further 4.7 million children out of poverty.⁶⁰ By contrast, the reach and

⁵⁰ Semega, Fontenot and Kollar, *Income and Poverty*, p. 14.

⁵¹ OECD, "How does United States compare on child well-being?" (November 2017).

Heather Koball and Yang Jiang, "Basic facts about low-income children: children under 18 years, 2016" (National Center for Children in Poverty, January 2018).

Fobert Wood Johnston Foundation, "Can early childhood interventions improve health and well-being?" (March 2016).

United States, Department of Housing and Urban Development, The 2017 Annual Homeless Assessment Report (AHAR) to Congress, Part 1: Point-in-time estimates of Homelessness, p. 8.

Madeline Daniels, "Housing Department's count of homeless children and youth problematic", 19 November 2015. Available from https://campaignforchildren.org/news/press-release/housing-departth-problematic/.

National Center for Homeless Education, Federal Data Summary: School Years 2013–14 to 2015–16,

⁵⁷ OECD, "How does United States compare".

Joan Alker and Alisa Chester, "Children's health coverage rate now at historic high of 95 percent" (Georgetown University Health Policy Institute, October 2016).

⁵⁹ Center on Budget and Policy Priorities, "Policy basics: the Supplemental Nutrition Assistance Program (SNAP)" (February 2018).

⁶⁰ Center on Budget and Policy Priorities, "Policy basics: the child tax credit" (October 2017).

impact of the Temporary Assistance for Needy Families programme has been very limited. In 2016, only 23 per cent of families in poverty received cash assistance from that programme, and the figure is less than 10 per cent in a growing number of states.⁶¹

Adult dental care

42. The Affordable Care Act greatly expanded the availability of dental care to children, but not for adults. Some 49 million Americans live in federally designated "dental professional shortage areas" and Medicare (the programme for the aged and those with disabilities) does not cover routine dental care. The only access to dental care for the uninsured is through the emergency room, where excruciating pain can lead to an extraction. Even for those with coverage, access is not guaranteed, as only a minority of dentists see Medicaid patients. Poor oral hygiene and disfiguring dental profiles lead to unemployability in many jobs, being shunned in the community and being left unable to function effectively. Yet there is no universal programme to address those issues, which fundamentally affect the human dignity and ultimately the civil rights of the persons concerned.

C. Reliance on criminalization to conceal the underlying poverty problem

Criminalization of the homeless

- 43. The official point-in-time estimates of homelessness in 2017 show a nationwide figure of 553,742, including 76,501 in New York, 55,188 in Los Angeles and 6,858 in San Francisco.⁶⁴ There is ample evidence that these figures significantly underestimate the actual scale of the problem.
- 44. In many cities, homeless persons are effectively criminalized for the situation in which they find themselves. Sleeping rough, sitting in public places, panhandling, public urination and myriad other offences have been devised to attack the "blight" of homelessness. The criminalization of homeless individuals in cities that provide almost zero public toilets seems particularly callous. In June 2017, it was reported that the approximately 1,800 homeless individuals on Skid Row in Los Angeles had access to only nine public toilets. Los Angeles failed to meet even the minimum standards the United Nations High Commissioner for Refugees sets for refugee camps in the Syrian Arab Republic and other emergency situations. 66
- 45. Ever more demanding and intrusive regulations lead to infraction notices for the homeless, which rapidly turn into misdemeanours, leading to warrants, incarceration, unpayable fines and the stigma of a criminal conviction that in turn virtually prevents subsequent employment and access to most housing. Yet the authorities in cities such as Los Angeles and San Francisco often encourage this vicious circle. On Skid Row in Los Angeles, 14,000 homeless persons were arrested in 2016 alone, an increase of 31 per cent over 2011, while overall arrests in the city decreased by 15 per cent.⁶⁷ Citizens and local authorities, rather than treating homeless persons as affronts to their sensibilities and neighbourhoods, should see in their presence a tragic indictment of community and government policies. Homelessness on this scale is far from inevitable and reflects political choices to see the solution as law enforcement rather than adequate and accessible low-cost

⁶¹ Center on Budget and Policy Priorities, "TANF reaching few poor families" (December 2017).

⁶² Mary Otto, *Teeth: The Story of Beauty, Inequality, and the Struggle for Oral Health in America* (New York, The New Press, 2017), p. vii.

⁶³ Ibid., pp. 37, 120 and 171.

⁶⁴ United States, Department of Housing and Urban Development, *The 2017 Annual Homeless Assessment Report*.

Alastair Gee, "At night on Skid Row, nearly 2,000 homeless people share just nine toilets", *The Guardian*, 30 June 2017.

⁶⁶ See https://emergency.unhcr.org/entry/33015/emergency-sanitation-standard.

⁶⁷ Gale Holland and Christine Zhang, "Huge increase in arrests of homeless in L.A. – but mostly for minor offenses", Los Angeles Times, 4 February 2018.

housing, medical treatment, psychological counselling and job training.⁶⁸ The Right to Rest Act introduced in California, Colorado and Oregon is an example of the type of legislative approach needed to shift from the criminal justice response to a human rights-centred response to homelessness.

As the Special Rapporteur explained in more detail in his 15 December 2017 statement, 69 coordinated entry systems to match housing supply for the homeless to demand have been introduced in Los Angeles, San Francisco and elsewhere. These are premised partly on the idea that homelessness is a data problem and that new information technologies are key to solving it. 70 But despite the good intentions behind them, including the reduction of duplication and fragmentation in service delivery, coordinated entry systems simply replicate many problems associated with existing policy responses. They contribute to the process of criminalization by requiring the homeless to take part in an intrusive survey that makes many feel they "are giving up their human right to privacy in return for their human right to housing". 71 Many participants fear that police forces have access to data collected from the homeless; it could be concluded from conversations between the Special Rapporteur and officials and experts that this fear may well be justified. The introduction of coordinated entry systems has also been criticized for being costly and diverting resources and attention away from the key problem, which is the lack of available housing for those in need.⁷² New information technology-based solutions, such as coordinated entry systems, might bring improved reliability and objectivity, but the vulnerability scores they produce have been challenged for their randomness.⁷³

Treatment of the poor in the criminal justice system

- 47. In many cities and counties, the criminal justice system is effectively a system for keeping the poor in poverty while generating revenue to fund not only the justice system but many other programmes. The use of the legal system to raise revenue, not to promote justice, as was documented so powerfully in a 2015 report on Ferguson, Missouri by the Department of Justice, ⁷⁴ is pervasive around the country.
- 48. So-called fines and fees are piled up so that low level infractions become immensely burdensome, a process that affects only the poorest members of society, who pay the vast majority of such penalties. Driving licences are also commonly suspended for a wide range of non-driving related offences, such as a failure to pay fines.⁷⁵ This is a perfect way to ensure that the poor, living in communities that have steadfastly refused to invest in serious public transport systems, are unable to earn a living that might have helped to pay the outstanding debt. Two paths are open: penury, or driving illegally, thus risking even more serious and counterproductive criminalization.
- 49. Another practice that affects the poor almost exclusively is that of setting large bail bonds for a defendant who seeks to go free pending trial. Some 11 million people are admitted to local jails annually, and on any given day more than 730,000 people are being held, of whom almost two thirds are awaiting trial, and thus presumed to be innocent. Yet judges have increasingly set large bail amounts, which means that wealthy defendants can

⁶⁸ See, for example, Gary Blasi and Phillip Mangano, "Stop punishing and start helping L.A.'s homeless", Los Angeles Times, 30 June 2015.

⁶⁹ See paras. 54–61. Available at www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx? NewsID=22533&LangID=E.

⁷⁰ See, for example, City of Los Angeles, Comprehensive Homeless Strategy (2016), p. 49.

⁷¹ Statement made during a civil society consultation, San Francisco, 6 December 2017.

A recent publication estimated that in Los Angeles alone the coordinated entry system had cost about \$11 million since its introduction, including only the cost of technical resources, software and extra personnel, not the cost of providing actual housing or services. (Virginia Eubanks, *Automating Inequality* (New York, St. Martin's Press, 2018), p. 113.

⁷³ Ibid., chap. 3.

⁷⁴ See www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/ ferguson police department report.pdf.

Not just a Ferguson problem: how traffic courts drive inequality in California" (2015).

secure their freedom while poor defendants are likely to stay in jail, with severe consequences such as loss of jobs, disruption of childcare, inability to pay rent and deeper destitution.

- 50. A major movement to eliminate bail bonds is gathering steam across the United States, and needs to be embraced by anyone concerned about the utterly disproportionate negative impact of the justice system upon the poor. The purpose of the reform is to link pretrial detention to risk rather than wealth. A growing number of jurisdictions are adopting risk assessment tools to assist in pretrial release and custody decisions. This is a positive development, but the widespread use of risk assessment tools also raises human rights concerns.
- 51. The fear is that highly political questions about the level of risk that society considers acceptable are hidden behind the veneer of technical design choices, that obscure algorithms disproportionally identify poor defendants as "high risk" by replicating the biased assumptions of previous human decision makers, ⁷⁶ and that private contractors who develop risk assessment tools will refuse to divulge their content on the grounds that the information is proprietary, which leads to serious due process concerns affecting the civil rights of the poor in the criminal justice system.⁷⁷
- 52. Solutions to major social challenges in the United States are increasingly seen to lie with privatization, especially in the criminal justice system. Bail bond corporations, which exist in only one other country in the world, precisely because they distort justice, encourage excessive and often unnecessary levels of bail, and lobby for the maintenance of a system that by definition penalizes the middle class and the poor.⁷⁸
- 53. In some states, minor offences are routinely punished by placing the offender on probation, overseen by a for-profit corporation, entirely at the expense of the usually poor offender. Those who cannot pay are subject to additional fees, supervision and testing.⁷⁹ Similarly, in 26 states judges issue arrest warrants for alleged debtors at the request of private debt collectors, thus violating the law and human rights standards. The practice affects primarily the poor by subjecting them to court appearances, arrest warrants that appear on background checks, and jail time, which interfere with their wages, their jobs, their ability to find housing and more.⁸⁰

D. Persistent discrimination and poverty

Race

54. The United States remains a chronically segregated society. Blacks are 2.5 times more likely than Whites to be living in poverty, their infant mortality rate is 2.3 times that of Whites, their unemployment rate is more than double that for Whites, they typically earn only 82.5 cents for every dollar earned by a White counterpart, their household earnings are on average well under two thirds of those of their White equivalents, and their incarceration rates are 6.4 times higher than those of Whites.⁸¹ These shameful statistics can only be

⁷⁶ Written submission to the Special Rapporteur from Edward W. Felten and Bendert Zevenbergen, Princeton University.

⁷⁷ AI Now, "AI Now 2017 report".

⁷⁸ See, for example, www.hrw.org/report/2018/02/20/set-fail/impact-offender-funded-private-probation-poor.

⁷⁹ Human Rights Watch, "Set up to Fail": The Impact of Offender-Funded Private Probation on the Poor (2018).

American Civil Liberties Union, "First-ever national report on widespread court practices that coerce payments from people in debt without due process", February 2018. See also American Civil Liberties Union, A Pound of Flesh: The Criminalization of Private Debt (2018).

Economic Policy Institute, "50 years after the Kerner Commission" (26 February 2018). See also Fred Harris and Alan Curtis (eds.), *Healing Our Divided Society* (Temple University Press, 2018).

explained by long-standing structural discrimination on the basis of race, reflecting the enduring legacy of slavery.⁸²

55. Ironically, politicians and mainstream media portrayals distort this situation in order to suggest that poverty in America is overwhelmingly Black, thereby triggering a range of racist responses and encouraging Whites to see poverty as a question of race. Too often the loaded and inaccurate message that parts of the media want to convey is "lazy Blacks sponge off hard-working Whites".

Gender

- 56. Women often experience the burdens of poverty in particularly harsh ways. Poor pregnant women who seek Medicaid prenatal care are subjected to interrogations of a highly sensitive and personal nature, effectively surrendering their privacy rights.⁸³ Lowincome women who would like to exercise their constitutional, privacy-derived right to access abortion services face legal and practical obstacles, such as mandatory waiting periods and long driving distances to clinics. This lack of access to abortion services traps many women in cycles of poverty.⁸⁴ When a child is born to a woman living in poverty, that woman is more likely to be investigated by the child welfare system and have her child taken away from her.⁸⁵ Poverty is frequently treated as a form of "child neglect" and thus as cause to remove a child from the home,⁸⁶ a risk exacerbated by the fact that some states do not provide legal aid in child welfare proceedings.⁸⁷
- 57. Racial discrimination makes matters even worse for many poor women. Black women with cervical cancer a disease that can easily be prevented or cured have lower survival rates than White women, due to later diagnosis and treatment differences, 88 owing to a lack of health insurance and regular access to health care. The United States has the highest maternal mortality ratio among wealthy countries, and black women are three to four times more likely to die than White women. In one city, the rate for Blacks was 12 times higher than that for Whites. 89
- 58. In rural areas, women face significantly higher poverty rates, as well as related child poverty. 90 In economically depressed areas of the Midwest, rural Appalachia and the deep south unemployment is high and essential services, such as childcare, health care and grocery stores, are unavailable or difficult to access. 91 A lack of adequate public transport means that families are unable to access decent supermarkets and instead rely predominantly on expensive and poorly stocked local stores. In general, poor women and

⁸² Center for American Progress, "Systematic inequality: how America's structural racism helped create the black-white wealth gap" (2018). See also Tommie Shelby, *Dark Ghettos: Injustice, Dissent and Reform* (Belknap Press, 2016).

⁸³ Khiara M. Bridges, *The Poverty of Privacy Rights* (Stanford University Press, 2017).

⁸⁴ Diana Greene Foster and others, "Socioeconomic outcomes of women who receive and women who are denied wanted abortions in the United States", *American Journal of Public Health*, vol. 108, No. 3 (March 2018), p. 407.

Written submissions to the Special Rapporteur from National Advocates for Pregnant Women and the Center for Reproductive Rights.

Maren K. Dale, "Addressing the underlying issue of poverty in child-neglect cases" (10 April 2014). Available at www.americanbar.org/aba.html.

⁸⁷ Written submission to the Special Rapporteur from National Advocates for Pregnant Women.

Wonsuk Yoo and others, "Recent trends in racial and regional disparities in cervical cancer incidence and mortality in United States", *PLOS ONE*, vol. 12, No. 2 (February 2017).

New York City Department of Health and Mental Hygiene, *Pregnancy-Associated Mortality: New York City*, 2006–2010. Available from www1.nyc.gov/assets/doh/downloads/pdf/ms/pregnancy-associated-mortality-report.pdf.

⁹⁰ See, for example, Southern Rural Black Women's Initiative for Economic and Social Justice, Unequal Lives: The State of Black Women and Families in the Rural South, p. 6.

⁹¹ Lisa R. Pruitt and Janet L. Wallace, "Judging parents, judging place: poverty, rurality and termination of parental rights", *Missouri Law Review*, vol. 77 (2011), p. 117.

their children are more likely to be obese and suffer serious health issues and non-communicable diseases that hinder them for the rest of their lives.⁹²

- 59. Female immigrants, who often suffer racial discrimination from employers and find it more difficult to get jobs, experience higher poverty rates and have much less access to social protection benefits than other women.⁹³ Undocumented women live a kind of half-life, in which they experience exploitation, abuse and wage theft, and are refused access to utilities such as water, but are unable to seek assistance or protection for fear of deportation.⁹⁴ While their undocumented status raises difficult legal and policy questions, their shadow existence as mothers of United States citizens and as domestic, sex or other workers undermines their ability to live a life in dignity. Even many permanent residents who have lived in the United States for less than five years are excluded from coverage under the Affordable Care Act⁹⁵ and assistance such as the Supplemental Nutrition Assistance Program, the Temporary Assistance for Needy Families programme and housing benefits.⁹⁶
- 60. Lack of Internet connectivity in rural impoverished communities negatively affects access to social protection benefits, other government services and even employment.⁹⁷ In West Virginia, where an estimated 30 per cent of the population lack access to high speed broadband (compared to 10 per cent nationally) and 48 per cent of rural West Virginians lack such access (compared to 39 per cent of the rural population nationally), ⁹⁸ the government has no serious plans to improve access.

Indigenous peoples

- 61. The Special Rapporteur heard testimonies from Chiefs and representatives of federally recognized and non-recognized tribes on widespread extreme poverty in their communities. Indigenous peoples, as a group, suffer disproportionately from multidimensional poverty and social exclusion. The 2016 poverty rate among American Indian and Alaska Native peoples was 26.2 per cent, the highest among all ethnic groups. ⁹⁹ Indigenous peoples also have the highest unemployment rate of any ethnic group: 12 per cent in 2016, compared to the national average of 5.8 per cent. ¹⁰⁰ One in four indigenous young people aged 16 to 24 are neither enrolled in school nor working. ¹⁰¹
- 62. Disparities between indigenous and non-indigenous health status have long been recognized but not effectively addressed. American Indians and Alaska Natives face almost a 50 per cent higher death rate than do non-Hispanic White people, due to illnesses such as heart disease, cancer, chronic liver disease and diabetes. Poverty, unemployment, social

⁹² See, for example, Southern Rural Black Women's Initiative for Economic and Social Justice, Unequal Lives.

⁹³ See www.migrationpolicy.org/article/immigrant-women-united-states#Poverty.

Written submission to the Special Rapporteur from the Miami Workers Center and others on the feminization of poverty in Miami; Azadeh Shahshahani and Kathryn Madison, "No papers? You can't have water: a critique of localities' denial of utilities to undocumented immigrants", *Emory International Law Review*, vol. 31, No. 4 (2017).

⁹⁵ Samantha Artiga and Anthony Damico, Health Coverage and Care for Immigrants, issue brief (The Henry J. Kaiser Family Foundation, 2017).

⁹⁶ See, for example, the submission from the Miami Workers Center and others, and Shahshahani and Madison, "No papers?".

⁹⁷ See, for example, the written submission to the Special Rapporteur from Access Now. Broadband access is also seriously lacking in the South (Southern Rural Black Women's Initiative for Economic and Social Justice, *Unequal Lives*, p. 16).

West Virginia Center on Budget and Policy and American Friends Service Committee, 2016 State of Working West Virginia: Why is West Virginia so Poor?, p. 55.

⁹⁹ United States Census Bureau, "American Indian and Alaska Native Heritage — Month: November 2017". Available at www.census.gov/content/dam/Census/newsroom/facts-for-features/2017/cb17-ff20.pdf.

¹⁰⁰ The Aspen Institute, 2017 State of Native Youth Report: Our Identities as Civic Power, p. 33.

¹⁰¹ Ibid., p. 37.

David Espey and others, "Leading causes of death and all-cause mortality in American Indians and Alaska Natives", American Journal of Public Health (June 2014), vol. 104, No. S3.

exclusion and loss of cultural identity also have significant mental health ramifications and often lead to a higher prevalence of substance abuse, domestic violence and alarmingly high suicide rates in indigenous communities, particularly among young people. Suicide is the second leading cause of death among American Indians and Alaska Natives aged between 10 and 34.¹⁰³

- 63. In entering a "trust relationship" with the recognized tribes, the Government assumed duties to provide for economic and social programmes to ensure the welfare of the relevant indigenous groups.¹⁰⁴ But their very high poverty rates attest to the Government's failure in this respect. Chronic underfunding of the relevant federal government departments is a significant part of the problem.¹⁰⁵ The situation has also been compounded by paternalistic attitudes, ¹⁰⁶ which run directly counter to the approach reflected in international human rights law and standards, particularly the United Nations Declaration on the Rights of Indigenous Peoples, which the Government endorsed in 2010.
- 64. The situation of non-federally recognized tribes is even more desperate, for they are not eligible to benefit from federally funded programmes. While 567 tribes are federally recognized, some 400 are not.¹⁰⁷ The latter exist in a context in which their way of life is not legally sanctioned, they are disempowered and their culture is threatened. Failure to collect disaggregated data for those tribes also hinders the development of evidence-based policies to address their situation.

E. Confused and counterproductive drug policies

- 65. The opioid crisis has devastated many communities, and the addiction to pain-control opioids often leads to heroin, methamphetamine and other substance abuse. Instead of responding with increased funding and improved access to vital care and support, the federal Government and many state governments have instead mounted concerted campaigns to reduce and restrict access to health care by the poorer members of the population.¹⁰⁸
- 66. In terms of welfare, the main responses have been punitive. States increasingly seek to impose drug tests on recipients of welfare benefits, with programmes that lead to expulsion from the programme for repeat offenders. Others have introduced severe punishments for pregnant women who abuse drugs. Medical professionals recognize that such policies are counterproductive, highly intrusive and misplaced. The urge to punish rather than assist the poor often also has racial undertones, as in the contrast between the huge sentences handed down to those using drugs such as crack cocaine (predominantly Black) and those using opioids (overwhelmingly White).

F. Environmental pollution

67. Poor rural communities throughout the United States are often located close to polluting industries that pose an imminent and persistent threat to their human right to

¹⁰³ Centers for Disease Control and Prevention, Leading Causes of Death Reports, 1981–2016.

 $^{^{104} \;\;} See \; www.acf.hhs.gov/ana/resource/american-indians-and-alaska-natives-the-trust-responsibility.$

See, for example, United States Government Accountability Office, *Progress on Many High-Risk Areas, While Substantial Efforts Needed on Others*, report to congressional committees (February 2017). Available at https://www.gao.gov/assets/690/682765.pdf.

¹⁰⁶ See A/HRC/21/47/Add.1, para. 15.

United States Government Accountability Office, Federal Funding for Non-Federally Recognized Tribes (April 2012). Available at www.gao.gov/assets/600/590102.pdf.

See, for example, Debra E. Houry, Tamara M. Haegerich and Alana Vivolo-Kantor, "Opportunities for prevention and intervention of opioid overdose in the emergency department", *Annals of Emergency Medicine* (2018).

health.¹⁰⁹ At the same time, poor communities benefit very little from these industries, which they effectively subsidize because of the low tax rates offered by local governments to the relevant corporations.

- 68. Poor communities suffer especially from the effects of exposure to coal ash, which is the toxic remains of coal burned in power plants. It contains chemicals that cause cancer, developmental disorders and reproductive problems, 110 and is reportedly dumped in about 1,400 sites around the United States 70 per cent of which are situated in low-income communities. 111 In Puerto Rico, the Special Rapporteur visited Guayama, where poor communities live close to a plant owned by Applied Energy Systems (AES) that produces coal ash. Community members noted severe negative impacts on their health and economic activities; neither federal nor local authorities had taken action. In March 2018 the Environmental Protection Agency proposed a new rule that would significantly undermine existing inadequate protections against coal ash disposal.
- 69. In Alabama and West Virginia, a high proportion of the population is not served by public sewerage and water supply services. Contrary to the assumption in most developed countries that such services should be extended by the government systematically and eventually comprehensively to all areas, neither state was able to provide figures as to the magnitude of the challenge or details of any planned government response.

VII. Conclusions and recommendations

70. The following analysis focuses primarily on the federal level. It is nonetheless ironic that those who fight hardest to uphold state rights also fight hard to deny city and county rights. If the rhetoric about encouraging laboratories of innovation is to be meaningful, the freedom to innovate cannot be restricted to state politicians alone.

1. Decriminalize being poor

- 71. Punishing and imprisoning the poor is the distinctively American response to poverty in the twenty-first century. Workers who cannot pay their debts, those who cannot afford private probation services, minorities targeted for traffic infractions, the homeless, the mentally ill, fathers who cannot pay child support and many others are all locked up. Mass incarceration is used to make social problems temporarily invisible and to create the mirage of something having been done.
- 72. It is difficult to imagine a more self-defeating strategy. Federal, state, county and city governments incur vast costs in running jails and prisons. Sometimes these costs are "recovered" from the prisoners, thus fuelling the latter's cycle of poverty and desperation. The criminal records attached to the poor through imprisonment make it even harder for them to find jobs, housing, stability and self-sufficiency. Families are destroyed, children are left parentless and the burden on governments mounts. But because little is done to address the underlying causes of the original problem, it continues to fester. Even when imprisonment is not the preferred option, the standard response to those facing economic hardship is to adopt policies explicitly designed to make access to health care, sick leave and welfare and child benefits more difficult to access and the receipt of benefits more stigmatizing.
- 73. A cheaper and more humane option is to provide proper social protection and facilitate the return to the workforce of those who are able. In the United States, it is poverty that needs to be arrested, not the poor simply for being poor.

Bill Chameides, "A look at environmental justice in the United States today," Huffington Post Blog, 20 January 2014. Available at www.huffingtonpost.com/bill-chameides/a-look-at-environmental-j b 4633223.html.

Earthjustice, "Fighting for protections from coal ash". Available at https://earthjustice.org/our_work/cases/2012/legal-fight-for-long-overdue-coal-ash-protections.

Oliver Milman, "A civil rights 'emergency': justice, clean air and water in the age of Trump", *The Guardian*, 20 November 2017.

2. Acknowledge the plight of the middle class

74. Only 36 per cent of Republican voters consider that the federal Government should do more to help poor people, and 33 per cent believe that it already does too much.¹¹² The paradox is that the proposed slashing of social protection benefits will affect the middle classes every bit as much as the poor. Almost a quarter of full-time workers, and three quarters of part-time workers, receive no paid sick leave. Absence from work due to illness thus poses a risk of economic disaster. About 44 per cent of adults either could not cover an emergency expense costing \$400 or would need to sell something or borrow money to do it. Over a quarter of all adults are classified as having no access or inadequate access to banking facilities. 113 The impacts of automation, artificial intelligence and the increasing fluidity of work arrangements mean that employer-provided social protection will likely disappear for the middle classes in the years ahead. If this coincides with dramatic cutbacks in government benefits, the middle classes will suffer an ever more precarious economic existence, with major negative implications for the economy as a whole, for levels of popular discontent and for political stability.

3. Acknowledge the damaging consequences of extreme inequality

- 75. The United States already leads the developed world in income and wealth inequality, and it is now moving full steam ahead to make itself even more unequal. But this is a race that no one else would want to win, since almost all other nations, and all the major international institutions, such as OECD, the World Bank and IMF, have recognized that extreme inequalities are economically inefficient and socially damaging. The trajectory of the United States since 1980 is shocking. In both Europe and the United States, the richest 1 per cent earned around 10 per cent of national income in 1980. By 2017 that had risen slightly in Europe to 12 per cent, but massively in the United States, to 20 per cent. Since 1980 annual income earnings for the top 1 per cent in the United States have risen 205 per cent, while for the top 0.001 per cent the figure is 636 per cent. By comparison, the average annual wage of the bottom 50 per cent has stagnated since 1980.¹¹⁴
- 76. The problem is that "inequality" lacks salience with the general public, who have long been encouraged to admire the conspicuous, and often obscene, consumption of billionaires and celebrities. What extreme inequality actually signifies is the transfer of economic and political power to a handful of elites who inevitably use it to further their own self-interest, as demonstrated by the situation in various countries around the world. While the poor suffer, so too do the middle class, and so does the economy as a whole. High inequality undermines sustained economic growth. It manifests itself in poor education levels, inadequate health care and the absence of social protection for the middle class and the poor, which in turn limits their economic opportunities and inhibits overall growth.
- 77. Extreme inequality often leads to the capture of the powers of the State by a small group of economic elites. The combined wealth of the United States Cabinet is around \$4.3 billion. As noted by Forbes: "America's first billionaire president has remained devoted to the goal of placing his wealthy friends in his Cabinet, a top campaign promise." And many regulatory agencies are now staffed by "political appointees with deep industry ties and potential conflicts". Extreme inequality thus

Pew Research Center, "Majorities say Government does too little for older people, the poor and the middle class" (2018). Available at http://assets.pewresearch.org/wp-content/uploads/sites/5/2018/01/30104502/01-30-18-groups-release.pdf.

Board of Governors of the Federal Reserve System, *Report on the Economic Well-Being of U.S. Households in 2016* (May 2017).

¹¹⁴ Facundo Alvaredo and others, coordinators, World Inequality Report 2018, (World Inequality Lab).

¹¹⁵ Chase Peterson-Withorn, "The \$4.3 billion Cabinet: see what each top Trump advisor is worth," Forbes, 5 July 2017.

D. Ivory and R. Faturechi, "The deep industry ties of Trump's deregulation teams", New York Times, 11 July 2017.

poses a threat not just to economic efficiency but to the well-being of American democracy.

4. Recognize a right to health care

78. Health care is, in fact, a human right. The civil and political rights of the middle class and the poor are fundamentally undermined if they are unable to function effectively, which includes working, because of a lack of the access to health care that every human being needs. The Affordable Care Act was a good start, although it was limited and flawed from the outset. Undermining it by stealth is not just inhumane and a violation of human rights, but an economically and socially destructive policy aimed at the poor and the middle class.

5. Get real about taxes

79. At the state level, the demonizing of taxation means that legislatures effectively refuse to levy taxes even when there is a desperate need. Instead they impose fees and fines through the back door, some of which fund the justice system and others of which go to fund the pet projects of legislators. This sleight-of-hand technique is a winner, in the sense that the politically powerful rich get to pay low taxes, while the politically marginalized poor bear the burden but can do nothing about it. There is a real need for the realization to sink in among the majority of the American population that taxes are not only in their interest, but also perfectly reconcilable with a growth agenda. A much-cited IMF paper concluded that redistribution could be good for growth, stating: "The combined direct and indirect effects of redistribution — including the growth effects of the resulting lower inequality — are on average progrowth."

Jonathan Ostry, Andrew Berg and Charalambos G. Tsangarides, *Redistribution, Inequality, and Growth*, IMF Staff Discussion Note (IMF, 2014), p. 4.

LA City and LAPD Call 'Arrest-Homeless-First-then-Provide-Services' a Success ... Homeless Angelenos Disagree

GENERAL JEFF / 11 JUNE 2018



TOOLS

DTLA SKID ROW-The culmination of recent presentations and reports have led to an eye-opening glimpse into the collective mindset of the City of Los Angeles and how it plans to "attack" the widespread, out-of-control existence of homelessness across the city.

On May 22, during a Los Angeles Police Commission meeting, the Los Angeles Police Department (LAPD) was joined by Los Angeles Homeless Services Authority (LAHSA), the Bureau of Sanitation and the City Attorney's office as they all signed off on LAPD's 2018 First-Quarter Homelessness Report, which is a follow-up to the Department's 2017 Year-End Homelessness Report (the first-ever report of it's kind in LAPD history).

Each of these city departments justified how their collective efforts (what many consider to be criminalization tactics used on helpless homeless people) were successful in the first three months of this year. This, they contended, qualified the program as "a success," and has led them to plan to "expand" those efforts.

This coalition's program involves obtaining Measure H funding to use as "services" for mental health, rapid re-housing, CES (Coordinated Entry System), alternative sentencing options (such as Los Angeles Drug Court) and more to help homeless people.

The catch is, all these "services" will only happen after a homeless person is arrested and incarcerated. Once the individual is in handcuffs, he or she will qualify for help. And yes, that's what each of these City departments stated publicly.

Immediately after their presentation, members of the public responded angrily during public comment asking why Measure H funding and other services would not be offered to homeless people until *after*they are arrested? Obviously, none of the City officials in the room made a peep or even remotely attempted to offer some type of official-sounding response, which, in itself, spoke volumes.

During the presentation, however, the City Attorney's office said they were "excited" about the expansion of their alternative sentencing options.

Umm, of course they would be. After all, this will create jobs and funding for themselves, which is the main reason why these wolves (I mean City officials) are licking their chops as they drool over the new combined funding pots of over \$5 billion (think, Measures HHH and H) which were specifically approved by voters to address homelessness. And with the many loose definitions of what qualifies as services, the City of LA's "arrest-first" logic has ample opportunity to qualify itself and be the first to ride the money-grab train.

On June 5, Los Angeles Mayor Eric Garcetti appointed Former Assistant Chief Michel Moore as the new Chief of LAPD. In his first round of interviews since being named, Moore has already indicated that he intends to remain in sync with the Department's current direction as it specifically relates to homelessness. Furthermore, Moore was selected for his "mastery of budgets," which should immediately draw concern, given the brand-new five-billion-dollar funding pots available. The new LAPD "CEO" will go after the money.

It's easy to see how this will play out. Moore will be tasked with "cleaning up homelessness" across the city. He will then direct his officers to come up with any cockamamy reason to arrest homeless people. Moore will justify LAPD's need for more funding to hire and train more officers to "expand" the effort. The police union will support and encourage Moore to grow the Department from its current \$2 billion annual budget to at least a \$3 billion annual budget. Once the jails are full, even the LA County Sheriff's Department will get in on the action and "justify" its need for additional funding.

Both LA County and City of LA leaders will direct significant amounts of funding into the jail systems across the county. The mainstream media, along with our city's political leaders far and wide, will "photo-op" all these "in-custody services." This infrastructure will be deemed a success by all who stand to benefit from it. They'll say, "the homeless are off the street and getting the help they need," and that will relieve the politicians from any emotional responsibility for the fact that homeless people are being arrested at a heart-pounding rate!

Remember, jails are not shelters just as shelters are not homes.

As further proof of the City's "arrest-first" plan, a team of LAPD officers presented its new 2018 Use-Of-Force Policy Report to the LA Police Commission (Civilians appointed by the Mayor) on June 5.

It was self-lauded as "the most extensive and comprehensive report of its kind anywhere in the nation." Ironically, it publicly unveiled LAPD's internal logic while simultaneously justifying its need to use aggressive force when "encountering" homeless people. The presentation reported that LAPD had over 1.6 million encounters with the homeless last year and of those, over 700 thousand were "initiated" by officers. The undertone reeked of pride in the usage of overaggressive and often unnecessary tactics.

Anyone with common sense and logic can understand that "harmless" officer-initiated encounters (such as a person walking down the street being contacted by officers passing by in a patrol car asking if everything's okay and the person responds) are enough to create "false-positive numbers." This will help LAPD achieve its "desired outcome" rather than account for true "encounters," which could significantly alter most of the data in its in-house-compiled report. One of the top LA Police Commissioners unrealistically responded by saying the Department's report was "fantastic," drawing loud sarcastic remarks from the public.

This writer had a one on one meeting with LA County District Attorney Jackie Lacey last week. Historically, the DA is considered the top law enforcement official in the county. In an hour-long meeting, Lacey was steadfast in her position of "justifying" the actions of law enforcement officers. When the conversation focused on the death of Brendon Glenn, an unarmed homeless man who was shot and killed by an LAPD officer near Venice Beach, DA Lacey defended the officer's actions and justified her own decision to not convene a grand jury. She constantly referred to the "72-page report" she released which completely exonerated the officer, even after then-LAPD Chief Charlie Beck publicly stated that his investigation concluded the officer "acted out-of-policy;" Beck also recommended charges be filed against the officer. But DA Lacey did no such thing, subsequently giving law enforcement "free reign" to do what needs to be done, especially as it relates to arresting homeless people and discarding all their belongings.

So, with multiple reports and numerous public statements, it's clear which way the "new homeless solutions" are headed, namely, "arrest-first, then provide services."

This despite the newly-released report from the United Nations on Extreme Poverty and Human Rights (violations) in America. (A summary report was first released in December of 2017, well before the City of LA showed its hand.) Special Rapporteur Philip Alston's scathing report spoke

specifically about the criminalization and monetization of homelessness by the government.

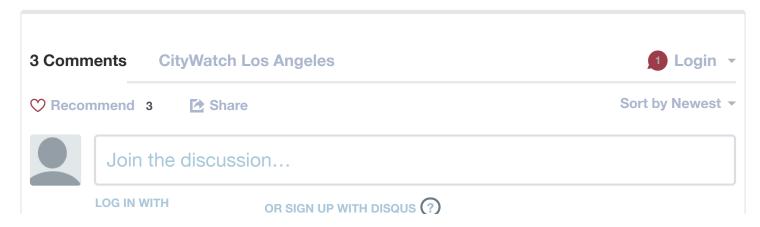
Paragraph 47 states, "...The use of the legal system to raise revenue, not to promote justice, as was documented so powerfully in a 2015 report on Ferguson, Missouri by the Department of Justice, is pervasive around the country." And Paragraph 71 states, "...Mass incarceration is used to make social problems temporarily invisible and to create the mirage of something having been done."

Last, the 2018 Homeless Count numbers were released less than two weeks ago. The "alleged decrease" (that no one I know believes) creates even more urgency for the City of LA to justify the implementation of a solution that will significantly address homelessness more quickly than the minimum three-year construction window it normally takes to construct new low-income housing from the ground up.

The City of LA has "unofficially" said they plan to arrest, arrest, arrest and then provide services as jobs and funding are generated for themselves and their allies. Hopefully, in three-four years the Measure HHH housing will come online and that will allow homeless folks to go directly from jail to housing.

The City's new homelessness slogan should be, "This is LA: from sidewalks to jail, to housing. All homeless welcomed here!" Pathetic!

(General Jeff ... Jeff Page ... is a homelessness activist and leader in Downtown Los Angeles. Jeff's views are his own.) Edited for CityWatch by Linda Abrams.



Name



cantstandtheheat • 9 days ago

I witnessed this author assault a pregnant woman because she interrupted him. It took more than three officers to detain him from hitting a smaller framed and very pregnant black woman

Reply • Share >



SZwartz • a month ago

Let's also remember why we have such a huge homeless population. It is not because they are all crazy or addicts, but the huge surge is directly traced to the Garcetti's Manhattanization and gentrification of rent controlled apartments. Since 2001 enough rent controlled apartments have been destroyed to house about 60,000 poor people.

If none of the rent controlled units had been destroyed, we would have about 25,000 more very low income housing units. [25,000 rent controlled apartments works out to about 60,000 people as there are about 2.5 to 2.8 people per unit. There is an unresolved data problem that counting Ellis Act evictions significantly unstated the amount of destruction since many developers force out tenants without going through the Ellis Act procedures. Using only Ellis Act evictions the number was 23,024 units by end of 2017.]

We assume that some of the people who were evicted were able to afford other apartments, but logic tells us that they did not rent the \$3,500.00 per month one bedrooms in Hollywood. Naturally, they saturated the low end of the apartment market which forced those lower-end rental prices to increase. A significant increase in demand tends to drive up prices. There are other factors such a corruption and predatory housing practices which also drive up housing costs.

see more



Miguel • a month ago

You spoke to the City of LA?

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LA 'sterilized' its streets for the '84 Olympics—how will it treat the homeless in 2028?

By **Jenna Chandler**, la.curbed.com July 12th, 2018

Church bells rang out across Los Angeles, John Williams's now-familiar Olympic theme blared triumphantly from 150 trumpets, and a man with an actual jetpack propelled across the Memorial Coliseum on July 28, 1984.

It was 86 degrees and sunny. Nearly 6 million spectators would watch the Summer Olympics in LA over the course of two weeks, with 20 million more households tuning in to the opening ceremony alone. The world had arrived in Los Angeles—and the city looked spectacular.

In and around the venue, neighborhoods were festooned in banners. The streets were lined with freshly-planted flowers, cleared of trash, and adorned with new murals painted by neighborhood youth who were paid to cover up graffiti. But for some of LA's poorest residents, the festivities only made life harder.

In 1984, the cost of renting in LA was increasingly unaffordable, and the economy was still rebounding from a recession. The problems were fueling a homeless crisis so severe that, according to researcher Jennifer Wolch, Los Angeles was known as "the homeless capital of the United States."



The opening ceremony at the Memorial Coliseum featured a "rocket man" who jet-packed over the crowd. In the years leading up to the games, authorities cracked down, enforcing laws that made it a crime to be homeless rather than finding permanent solutions to the crisis. The beautification campaign explicitly targeted the homeless—residents in and around Skid Row were driven out of view as visitors flooded into town.

"We're trying to sanitize the area," Los Angeles Police Department captain Billy Wedgeworth told the Los Angeles Times one week before the opening ceremony.

As the games approached, mounted police and narcotics officers launched sweeps of homeless residents in Downtown neighborhoods where tourists were expected to gather, the *LA Times* reported. Dozens of homeless residents were arrested, sent to detox centers, or forced to relocate while their belongings were discarded.

"Whenever you have these big sporting events, there's an attempt to make folks disappear," says Jerry Jones, director of public policy at Inner City Law Center, a Los Angeles nonprofit that provides legal aid to Skid Row residents.

"The lesson from '84 is that we tried a punitive approach," he said. "That certainly didn't solve the problem."

In 2028, Los Angeles will host the Summer Olympics for the third time, and, the homeless crisis is just as dire, if not worse. Residents and advocates are asking: Will officials learn from the missteps of 1984 to ensure the health and safety of its most vulnerable residents?

"I want to go all out during the Olympics so we give a good impression to visitors," Los Angeles City Councilmember Gilbert Lindsay said in August 1983, after recommending that the city corral its homeless residents in what had historically been known as the "drunk farm" near Saugus.

"Let them sweat it out in the sun, grow vegetables to eat, and learn a trade," he said.

LAPD commander William Booth told the *LA Times* that his department liked the councilmember's way of thinking, "not only for the sake of the city, but for the sake of those indigents and winos who are suffering on the streets."

LA didn't resurrect its "drunk farm." But it was around that time that City Councilmembers drafted laws to limit people's access to public space—and control where they could live and sleep.

In 1982, the powers-that-be passed a law prohibiting "the use of streets for habitation." The ordinance barred anyone from using vehicles parked on the streets "as living quarters." In February 1984, six months before the games, councilmembers put a law on the books that banned sleeping on bus benches.

In August 1984, one homeless man told the LA Times: "Before the Olympics it wasn't so bad. Now they really treat us like dirt."

And it wasn't just the homeless who were targeted as the city tried to spruce up its streets. According to one news report, a special task force made up of about 135 vice officers was created in June 1984 to crack down on prostitution. Over a five-week period leading up to the games, some 1,000 people were arrested on suspicion of prostitution-related charges.

An "operation of epic proportions" is how Gannett News described security measures for the 1984 Olympics.

As many as 20,000 security guards and police officers from dozens of departments and agencies were stationed at venues, practice facilities, and Olympic Villages.

"We'll have more police officers on the streets of Los Angeles than at any time in the city's history," LAPD captain William Rathburn told the news outlet.

Los Angeles had a good reason to be concerned about public safety. In the wake of the massacre at the 1972 Munich Olympics, where 11 Israeli athletes were killed by Palestinian gunmen who snuck into the Olympic Village, the LAPD and the FBI were focused on thwarting terrorist threats.

This didn't just mean increased staffing. Documents that historian Max Felker-Kantor obtained through a public records act request show that, with help from the federal government, the LAPD acquired a slew of military-grade equipment, including specialized armor to protect helicopters from gunfire, flashbang grenades, ballistic helmets, an armored emergency rescue vehicle, and high-powered binoculars.

Gannett reported that other equipment in the Olympics security arsenal included "a skyful of night-seeing helicopters" and silencer-equipped submachine guns. The *New York Times* reported that it looked and sounded like a battle zone

It's unclear how much of that equipment was actually put to use during the Olympics. It's also unclear how much of it the LAPD kept. But it did retain at least some of the lethal cache.

In 1985, the LAPD used an armored vehicle acquired during the Olympics to blast into a Pacoima home. The converted military V-100 had been used during the Vietnam War and was outfitted with a 14-foot battering ram, according to the *LA Times*.

"The message has to go out: If you don't want a battering ram breaking down your wall and SWAT coming through your doors, don't deal dope," then-chief Daryl Gates said. The raid turned up "a small amount of marijuana and no guns."

In 1984, the biggest concern about hosting the Olympics wasn't the treatment of homeless residents or ampedup security. It was money.

City Councilmember Bob Ronka was so concerned the games would financially ruin Los Angeles that he helped force a citywide vote on a charter amendment that essentially guaranteed public money wouldn't finance the games. It passed 74 to 26.

Not only was the economy weak, there was a housing shortage and an affordability crisis "of unprecedented proportions." According to Wolch, rents skyrocketed more than 50 percent between between 1980 and 1990. The county's unemployment rate was 9.7 percent in 1983 and 7.9 percent in 1984, according to Bureau of Labor statistics.

"53,195 people in LA County are homeless—and the vast majority, 39,826, are not in shelters. Nowhere else in the United States is the number of unsheltered residents so high."

Those factors, combined with cuts to welfare services nationally and locally, caused LA's homeless population to swell in the 1980s, according to a 2007 report she co-authored on ending homelessness in Los Angeles. The team of researchers who wrote the report also found the crisis was fueled by rising healthcare costs, the crack-cocaine epidemic, and a "rapid growth" in the number of residents who were uninsured.

There wasn't a clear definition for "homeless" at the time or a standard way of measuring the homeless population, but according to Wolch, the the number of homeless people in Los Angeles County on any given night in 1984 was between 36,800 and 59,100.

Today, those numbers are—despite a booming economy—tragically similar: 53,195 people in LA County are homeless, and the vast majority (39,826) are not in shelters. Nowhere else in the United States is the number of unsheltered residents so high.

"We still have a crisis of major proportions," says Wolch. The drivers, she says, are the same: an extreme housing shortage and "a welfare state that has become increasingly frail—shredded really."

Now, though, the city of Los Angeles has the money to solve the crisis. The state and local economies are thriving, and LA constituents have voted to tax themselves to pay for housing and services for the homeless. But lawmakers still lack political will to fix it. As one United Nations official said last December, after touring Skid Row, LA's homelessness crisis is a "tragic indictment of community and government policies."

That's one of the reasons why a local movement of anti-Olympics organizers largely focused on social justice issues are trying to stop the games from coming to the city. Its members say the games will further "strengthen the military apparatus" of the LAPD and accelerate gentrification and displacement. The platform listed on the website: "Insist on homes, not games."

Ten years from now, when Los Angeles shows itself off again on the world stage, authorities will have two options, says Jody Armour, a law professor at USC who studies crime and culture.

"They could opt for a more cosmetic approach," he says. "Or they could do something concrete and substantive that addresses the lack of affordable housing and the lack of adequate jobs and mental health services."

To an extent, those cosmetic changes benefited some neighborhoods in '84. At the time, Antonia Ecung lived in North University Park, just north of the Coliseum. She helped write grant applications for summer job programs for local kids to plant flowers and cover up graffiti.

One junior high school, she said, painted new murals under freeway overpasses that remained in place up until about eight years ago.

"The students got a chance to display their artwork and do something for the community that they could feel proud of," Ecung says.

That was a bright spot in what was otherwise a heavy-handed approach to polishing the city's image that included pushing homeless people aside and saturating streets with police officers—something LA had in common with other American cities hosting big sporting events, from the 1996 Summer Olympics in Atlanta to Super Bowl 50 in San Francisco.

If Los Angeles wants to break that mold in 2028, historian Felker-Kantor says, local officials need to ask: "Can the police operations look less like an occupying force?" And, he adds, they need to do more than host community meetings.

In the lead-up to the '84 games, the Inner City Law Center filed multiple claims against the city accusing it of conducting illegal search and seizures of homeless residents. The response to homelessness is more positive now, Jones says, but there are "worrisome" signs that homelessness continues to be treated as a crime and a blight

The UN report noted that in Skid Row, there have been 6,696 arrests of homeless people between 2011 and 2016. In Koreatown, residents are busy trying to block an emergency shelter from being built on a parking lot, and Los Angeles Mayor Eric Garcetti has recently said he is considering reinforcing an old ban on sleeping overnight on sidewalks.

"It's an honor to host the Olympics, but we have to rise to a recognition that everyone in our city is a neighbor," Jones says. "We need to provide real solutions to poverty and homelessness and not just make people disappear because it's convenient."

Casey Wasserman, who is chair of LA 2028's organizing committee, is also a board member at Vox Media, Curbed's parent company. Vox Media board members have no involvement in Curbed's editorial planning or execution.

1 Item added

Garcetti says L.A. can resume disputed ban on overnight sidewalk sleeping

By Emily Alpert Reyes, www.latimes.com June 22nd, 2018

Eleven years ago, Los Angeles officials agreed to stop arresting people who bed down for the night on streets and sidewalks until the city built more homeless housing.

The deal ended a legal battle with skid row residents and their advocates, who argued that the law trampled on the rights of homeless people who had nowhere else to go.

Now Mayor Eric Garcetti says enough housing has been built to meet the settlement requirements, clearing the way to enforce the law again. But if L.A. starts ticketing people under the contested code, it is likely to kick off a new battle with homeless advocates.

"There is a snowball's chance in hell that a court will let them enforce that," said Carol Sobel, one of the attorneys who represented skid row residents in Jones vs. City of Los Angeles. "The city will lose in court again."

Garcetti, who is weighing a presidential run, has faced growing pressure to address the tent cities that sprawl across L.A. sidewalks. This spring, he launched plans to spend at least \$20 million on new shelters and vowed to boost police patrols and cleanups to prevent encampments near those sites.

Those plans have thrust the Jones settlement back into the spotlight. Neighbors worried about the proposed shelters argue the pact makes it impossible to stop people from camping out near the new facilities. Some homeless advocates and activists, in turn, fear the city is gearing up for a crackdown.

At a meeting Monday with the Los Angeles Times' editorial board, Garcetti said the city would not rush to arrest those sleeping overnight on sidewalks, but called the law "a tool that we have before us, that we can and will use."

The mayor added that the city would enforce the law only if there was "a place to go," such as a bed in one of the emergency shelters now being proposed across the city, and would give people time and help with relocating.

His deputy chief of staff, Matt Szabo, said their goal was to not to resume arrests, but to keep neighborhoods clean around the new shelters, which they might be able to accomplish without enforcing the disputed law.

"We're going to do what we need to do to keep those neighborhoods clean," Szabo said, adding that although he thinks the city can legally enforce it, "we may do it; we may not do it."

Before the Jones settlement, a federal appeals court had sided with the skid row residents who sued the city, concluding that the ban on sidewalk sleeping amounted to "cruel and unusual punishment" because there were not enough shelter beds.

Among those who sued was Stanley Barger, a homeless man who had suffered a brain injury in a car crash. Barger, who was getting \$221 a month through a county program, was arrested on Christmas Eve for sleeping on the street, according to the lawsuit. Other homeless plaintiffs had gotten citations and worried they would face fines they were unable to pay.

William J. Bratton, then chief of the Los Angeles Police Department, urged the city to appeal. Jan Perry, who was serving as a councilwoman at the time, complained in a Times op-ed that "the streets of skid row at night become a free-for-all, a market for illegal and bizarre behavior that most people cannot begin to imagine."

L.A. lawmakers decided to challenge the decision, but ultimately backed a settlement allowing people to sleep on the sidewalk from 9 p.m. to 6 a.m. if they stayed far enough away from doorways and driveways. Under the deal, the city agreed to hold off on enforcing the ban at night until 1,250 more units for chronically homeless people were built, at least half of them downtown.

At the time, the Jones settlement was bemoaned by business leaders who complained of chaos on downtown sidewalks. As homelessness surged in Los Angeles, residents alarmed by squalid encampments popping up from Chatsworth to San Pedro have argued it is time for the city to start enforcing the law.

Venice resident Maryjane Johnson complained that in her neighborhood, "you can't go anywhere without being confronted by huge tent cities."

"We have every right to end it and we should end it because it makes the problem worse," Johnson said of the Jones settlement.

Homeless advocates argue that the legal pact is not to blame for the crisis, though it has affected what it looks like on the street. "What Jones has done," said Greg Spiegel, director of strategic initiatives for Inner City Law Center, "is made homelessness visible in parts of the city where it was never visible before."

Three years ago, the housing department said L.A. would soon meet the housing requirements under the Jones settlement. Garcetti said this week that the required units had been built and thousands more were on the way after voters approved a \$1.2-billion bond measure for homeless housing.

City officials provided a breakdown indicating more than 1,500 units for chronically homeless people had been built, including 655 downtown. Those calculations are sharply contested by Sobel, who argues that L.A. officials are improperly counting apartments that existed long before the settlement was struck or were otherwise ineligible.

So far, the city has not resumed arresting those sleeping on the sidewalk at night, although LAPD Cmdr. Dominic Choi said that it does enforce the same code, 41.18(d), during the day or if entrances or driveways are blocked. Other city codes limit how much personal property can be stored on sidewalks.

City Councilman Mike Bonin, who represents coastal areas, including Venice, said that even if the city has met the target number to start enforcing the law under the Jones settlement, "I think the court would laugh at us."

Three years ago, the Department of Justice weighed in on an ongoing court battle over a Boise, Idaho, law barring camping in public places, arguing that if there was not enough shelter, enforcing such laws "amounts to the criminalization of homelessness."

In Orange County, a federal judge warned this spring that if cities failed to set up shelters for homeless people being cleared out along the Santa Ana River, he could bar them from enforcing laws against camping.

More than 23,000 people are living without shelter in Los Angeles, according to the last count by the Los Angeles Homeless Services Authority. Last year, there were roughly 10,000 beds at shelters and transitional housing facilities in the city, with hundreds more on the way, a recent report from the agency found.

Garcetti aides have estimated that the new set of temporary shelters could house 1,500 people at a time, a number that could be boosted with a new infusion of state money to address homelessness. But "what happens to the others?" Sobel asked.

"Do they go to jail? We don't have a jail big enough!" she exclaimed.

Despite the need, roughly one out of seven shelter beds went unused on a typical night last year, according to data collected by the homeless services authority. UCLA School of Law professor emeritus Gary Blasi said the city might point to empty beds to make their legal case, but countered that forgoing a bed is reasonable if shelters are unsafe or force people to leave behind almost all of their belongings.

"What matters is whether people without housing have a real choice between the shelters and the streets," Blasi said.

In Koreatown, Edgar Ruiz awoke and got out of the slumping tent where he has lived for months near Vermont Avenue. The 63-year-old said he had served in the Vietnam War and worked for decades helping to dispatch school police before ending up on the streets after a breakup.

"I sweep the street here to keep everyone off my back," he said, gesturing to the sidewalks outside the Vermont Dental Group.

A block and a half north, near the busy intersection of Vermont and Wilshire, sits a parking lot where city officials announced plans to put a homeless shelter, triggering protests from local residents and businesses. A banner overlooking the site proclaims "Protect Our School Children and Local Businesses. Unite and SAY NO to Homeless Shelter Here!"

Ruiz hoped he might get a spot in the new shelter, somewhere with running water, electricity and a restroom. Someone from Veterans Affairs had offered him housing, he said, "but it's way over in Westwood." Police had suggested a shelter miles to the south, but it seemed too far from the neighborhood he had lived in most of his life.

If the police told him he couldn't sleep in Koreatown, Ruiz said, "I'd just go down a couple of blocks."

Down the street, a wild-eyed man sunk into a rolling chair on the sidewalk, shrieking and mumbling. Another stormed down the sidewalk, barefoot and yelling, and rammed a shopping cart against a building. A woman guarding crates of mangoes outside a nearby shop jumped.

Across town, the Venice Stakeholders Assn. has pushed for the city to enforce 41.18(d) at all hours, arguing that it could avoid legal trouble as long as people were first offered a shelter bed or housing. Its president and founder, Mark Ryavec, argued that officers should use it "in a very surgical way in residential areas that are

really impacted."

"We believe that legally, the city can say, 'You have a choice," Ryavec said. "Those who do not want housing, who are in problematic locations, would indeed move."

Last month, at a meeting with department heads, Garcetti mentioned that Venice residents had brought up the Jones settlement with him and quizzed a city attorney about how it worked. After a brief exchange, the mayor remarked that nothing prevented police from enforcing the disputed law during the day.

Estela Lopez, executive director of the Downtown Industrial District Business Improvement District, argued that if the city regularly enforced the ban on sidewalk sleeping on skid row during the day — which the Jones settlement already allows — it would nudge more people to seek shelter and other help.

"The city is allowing things to occur that were never envisioned by the court," Lopez lamented as she drove through downtown, gazing at rows of tents blocking walkways, muscular dogs dozing under makeshift shelters, and building walls blackened by tent fires.

Getting everyone off L.A. streets could cost as much as \$657 million to get shelters started and operate them for a year, LAHSA recently estimated — and that doesn't include roughly 15% of people unwilling to go into shelters. Councilman Jose Huizar said in light of those figures, meeting the numbers under Jones is "irrelevant."

"The reality is we have so many people still unsheltered," Huizar said.

1 Item added

L.A. County urges state to expand definition of 'gravely disabled'

By **Melissa Etehad**, www.latimes.com January 30th, 2018



Los Angeles County Supervisor Kathryn Barger, left, and Dr. Susan Partovi, medical director of Homeless Health Care Los Angeles, talk with Deborah Bailey, who is homeless.

*Photo by: Mel Melcon / Los Angeles Times**

The Los Angeles County Board of Supervisors approved a motion Tuesday that asks California lawmakers to change the way the state defines "grave disability" in order to give officials more power to forcibly treat mentally ill homeless people.

The motion comes amid concern about the growing number of deaths of the homeless in L.A. County. According to data from the Los Angeles County coroner's office, 831 homeless people died in 2017, compared with 458 in 2013.

A county Department of Mental Health report said that a "significant number" of those deaths are believed to have been caused by preventable medical conditions.

Under the Lanterman-Petris-Short Act, passed in 1967, police are allowed to take a person into custody for psychiatric treatment if mental illness prevents them from meeting their basic needs, such as food, clothing or shelter.

Tuesday's motion seeks to get the state to pass legislation that broadens that definition to include people who are unable to seek medical care because of their mental illness.

Broadening the "gravely disabled" law would allow officials to put mentally ill homeless people on involuntary psychiatric holds if a court determines that because of a person's mental illness, he or she is not able to seek medical care.

Backers argue that changing the law would help homeless people whose mental illness prevents them from recognizing when they need medical attention.

Opponents say that forcibly treating someone could infringe on their civil rights.

The motion passed 4 to 1.

Some Los Angeles city officials are expected to follow suit. Councilman Jose Huizar said in a tweet Tuesday that the City Council will introduce a resolution Wednesday to support the county effort.

Supervisor Kathryn Barger, who co-sponsored Tuesday's motion with Mark Ridley-Thomas, said she was motivated to change the law after spending time on skid row.

"The goal is to get people healthcare. We have to do better." Barger said. "The individuals you see on the street for the most part are those who have a grave disability."

Facing a Feb. 16 deadline to introduce legislation for 2018, Erick Matos, Barger's health deputy, said the office is working to identify an Assembly member who would carry the legislation.

In the 1980s and '90s, there were several unsuccessful attempts to amend the law.

About 16,000 homeless people in the county suffer from a "serious mental illness," according to the Los Angeles Homeless Services Authority.

Supervisor Sheila Kuehl, who cast the lone dissenting vote, said she is concerned that forcing people into treatment could cause more harm than good.

"You'll have a 72-hour hold in a hospital and then what? Who is going to take care of [their] pets? Who is going to watch [their] stuff," Kuehl asked during the meeting.

More than a dozen people, including relatives of mentally ill homeless people, public health experts and advocacy groups, gave emotional remarks both supporting and opposing the motion.

Sandy Carlson, whose son is homeless and suffers from schizophrenia, spoke in favor. She said that because of the current law, officials aren't able to place her son on involuntary psychiatric holds.

"Maybe my son will be able to have his life saved," Carlson told the supervisors as she fought back tears. "He has a lack of insight, which is why he refuses treatment. He doesn't know any better."

Times staff writers Dakota Smith and Soumya Karlamangla contributed to this report.

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All Show and No Substance

Proposition HHH First Year Performance Assessment



Report of the Los Angeles Community Action Network

November 2017

Introduction

For decades, kick-the-can-down-the-road has been the pillar of Los Angeles's homeless policy. Relying largely on funding emergency shelter beds, with no clear path to long-term recovery, the "crisis intervention" approach would culminate in a homeless state of emergency. Now, thanks to Proposition HHH, City Hall has the financial wherewithal to attack this humanitarian catastrophe with creative thinking and bold solutions. Yet the mayor and city council – those responsible for making sure taxpayers' money is spent wisely and efficiently – are steadfastly committed to the status quo: a half-baked trifecta of gentrification, criminalization and obfuscation.

Much of what establishment "experts" assert about homelessness — especially its supposed intractability and reluctance of the unhoused to seek social services — is wrong, resulting not only from the limited knowledge of the real situation on the ground but from a prejudicial mindset that does not want to get at the facts, i.e. from wishful thinking.

Instead of self-delusion, all options must be on the table in confronting homelessness. For example: Neither Prop. HHH nor Measure H (an LA County sales tax measure passed in March 2017 to fund homeless services) directly address the urgent short-term needs of people living in the street. Therefore, as the city attempts to implement long-term solutions it also needs to pursue short term alternatives to address the sharp rise in homelessness, which increased 20% this past year. One quick and cost-effective solution would be to establish a pilot program of tiny home communities on surplus city-owned land.

The Los Angeles Community Action Network (LA CAN) created this report out of a sense of urgency – to get homes and facilities for the homeless built at a much faster pace. The city finally has the resources to address the housing crisis. Now comes the hard part: mustering the political will to strike a balance between economic development and the needs of the city's most vulnerable residents.

Background

On November 8, 2016, Los Angeles voters approved Proposition HHH "to provide safe, clean affordable housing for the homeless and for those in danger of becoming homeless.²" The homeless policy establishment and LA City Hall hailed the passage of the \$1.2 billion bond measure to build permanent supportive housing as a game changer. They promised the overwhelming yes vote, coupled with the city's Comprehensive Homeless Strategy (CHS) and Measure H revenue for homeless services strengthened their resolve to end homelessness in the city.

One year later it appears their resolve will be sorely tested.

¹ 'A Million Dollar Hoods Report', Policing the Houseless Arrests by LAPD (2011-2016), Danielle Dupuy MPA, Terry Allen MA, and Kelly Lytle Hernández PhD, and the Million Dollar Hoods Team, October 2017

Voter Information Pamphlet, City of LA, Special Municipal Election Tuesday, November 8, 2016, http://clerk.cityofla.acsitefactory.com/sites/g/files/wph606/f/2016%20November%20County%20WEB_English.pdf

Unsheltered homelessness continues to increase dramatically – as some 13,000 residents become homeless in LA County every month³. The LAPD continues to conduct quasi-legal street sweeps, confiscate personal property, issue citations for low-level offenses, such as littering or jaywalking, and forcefully remove makeshift dwellings. Recently, Los Angeles County health officials declared a Hepatitis A outbreak⁴, spread by poor sanitation conditions for people experiencing homelessness – despite a long history of community-based demands⁵ for more public restrooms, drinking fountains, hand-washing stations, shower facilities, trash cans and trash collection.

Proposition HHH money is the financial cornerstone of the city's Comprehensive Homeless Strategy, essentially a malleable spending blueprint with 62 recommendations to address homelessness over 10 years. The plan resulted in the creation of a Homeless Strategy Committee and the first-ever Homeless Coordinator, which monitors and oversees the implementation of the city's homeless strategy. Two additional oversight bodies, the Civilian Oversight Committee and the Administrative Oversight Committee, were created under the provisions of HHH.

The homeless plan's goal of reducing homelessness to "functional zero" is contradicted by the reality on the ground, where tent cities continue to multiply despite the unprecedented increase in the homeless budget, the waiting time for subsidized housing is measured in decades and rental vouchers depend on landlords' willingness to accept them. Meanwhile, gentrification and criminalization proceed at pace behind a facade of openness at City Hall. These issues call into question the ability of the status quo to implement HHH for the benefit of all Angelenos and underscore the need for robust independent monitoring of how resources are being spent.

Integrated Voter Engagement Yields a Winning Strategy

Last November Proposition HHH soared to victory with huge fanfare. A two-thirds (66.67 percent) supermajority vote was required for the approval of HHH and Angelenos did not disappoint. After polling places closed and ballots were counted, Yes votes overwhelmingly exceeded the 66.67% needed for passage. When the dust settled, 77.14% voted Yes while 22.86% voted No. As a result, Los Angeles now had the ability to invest a significant amount of money towards getting a handle on homelessness.

Understanding a winning strategy is important, especially on an issue where there is rarely agreement. Coalition building, across sectors, was key to the Proposition HHH ballot box victory. For the first time *ever* there was alignment around one core idea: that the only way to end homelessness is to build housing and we needed money to start building now. City Hall, business elites, and philanthropic partners would provide an assortment of resources to buoy the high profile campaign. Churches, community-based organizations, and unions would take the message to their parishioners, stakeholders, and members.

^{3 13,000} fall into homelessness every month in L.A. County, report says, http://www.latimes.com/local/lanow/la-me-homeless-pathways-20150825-story.html

⁴ Health officials declare hepatitis A outbreak in L.A. County, http://www.latimes.com/local/california/la-me-ln-hepatitis-la-20170919-story.html

⁵ "The Dirty Divide in Downtown Los Angeles A Call for Public Health Equity", Los Angeles Community Action Network, March 2013

Moving Toward 'Functional Zero' - Why I'm Optimistic about the LA County Homeless Initiative, February 4, 2016, http://citywatchla.com/index.php/the-la-beat/10446-moving-toward-functional-zero-why-i-m-optimistic-about-the-la-county-homeless-initiative

Organizations deeply invested in community organizing, civic engagement, and voter engagement would take it to the community, conducting door-to-door canvassing and phone-banking campaigns targeting registered voters. The success of this strategy would be confirmed at the polls.

Integrated Voter Engagement (IVE) is a core part of LA CAN's power-building model. IVE is a multi-year strategy geared towards: 1) increasing voter participation of communities and constituencies traditionally underrepresented in the electorate; 2) year-round engagement of targeted voters to build lasting relationships, conduct voter education, increase voter participation, and motivate them to become actively involved in advocacy and community organizing; 3) use of voter engagement technology to increase the capacity of community-based organizations to reach a new scale of engaging target constituencies; and, 4) systematic tracking of engagement and results through a living and growing voter database.

In October 2016, LA CAN launched a HHH phone-banking program, targeting likely voters that resulted in 190,844 calls and 9,723 IDs (contacts), with 6,436 responding they would vote Yes on HHH, 1,762 Undecided, and 1,525 No. LA CAN simultaneously conducted a sample community poll of registered voters in Council Districts 8, 9, and 10, seeking their opinion on the following question: "Do you support spending general fund and/or bond money to build housing for homeless individuals and families?"

There were 1,813 total respondents and their responses were: $1,443 = \text{Yes} \mid 59 = \text{No} \mid 80 = \text{Undecided} \mid 231 = \text{Refused to Answer.}$ The sample poll, conducted in areas heavily impacted by homelessness, provided a clearer understanding of the types of financial sacrifice voters were ready to make. This data was especially crucial because while large amounts of polling often takes place before highly anticipated ballot measures and campaigns, these activities rarely take into account the opinion of people in poorer communities of color.

In 2017 Voters Begin to Ouestion City Leadership

In many ways the Proposition HHH ballot box campaign was the easy part. Implementation, on the other hand, would prove to be the more daunting task. After the victory parties were over, and celebratory speeches ended, a realistic plan to provide housing would need to be created. The pressure was on to make good on campaign promises as homeless encampments continued to grow all across the city. The annual homeless count would report a 23% increase in homelessness across LA County and a 20% increase in the City of Los Angeles. And the media had not packed up and moved on post-election day – as stories and editorials would run highlighting questionable strategies and lifting the voices of Angelenos lack of confidence in the City of Los Angeles leadership to fix this problem. LA leadership would respond by creating multiple committees giving the appearance that work was in fact happening while simultaneously trying to steer clear of tough decisions.

In order to get a birds-eye perspective of how voters felt one year after passage of Proposition HHH, LA CAN launched a 19-Day door-to-door canvassing effort in October 2017 that focused on South Central Los Angeles. Using Political Data Inc. (PDI) mobile software and tablets, the campaign focused on African American voters residing in three City Council districts, CD8, CD9, and CD10. The polling was centered on two questions: 1) **Do you think Los Angeles is ineffectively handling the homeless crisis after passing HHH & H?** 2) **Do you think all new market rate developments should include affordable housing units?**

The majority of the 4,827 respondents polled in South Los Angeles (3,040 or 63%) felt that Los Angeles was still mishandling the homeless crisis. Of the 2,298 voters who responded to the question of affordable housing being included in all new market rate developments (2,219 or 97%) felt that affordable housing should be included. Roughly 2% thought it was not a good idea and only 1% remained undecided.

Voters in council districts impacted greatly by homelessness clearly have a lot to offer when evaluating the City of Los Angeles' current plan of action to address homelessness. Affordable housing continues to be a very high priority in the area. As a result of the IVE program LA CAN had the opportunity to expand its outreach and organizing into additional communities where the battle lines against gentrification and policing aimed at displacing entire communities has been drawn. This fight is far from over and policy makers and elected officials should take heed of the growing pattern of anxiety regarding their inaction.

In most campaigns and for a myriad of reasons too numerous to mention here, the implementation phase is largely abandoned by the vast majority of supporters or organizations that help move the initiative. LA CAN's commitment did not end with the passage of HHH. LA CAN's Housing and Human Rights Committees have been tracking the progress of the city's homeless plan since the rollout of HHH – and the results have been eye-opening:

- •The homeless services infrastructure is not up to the job of handling the increased demands of implementing HHH.
- •LAPD continues to harass, ticket and arrest homeless people.
- •The Proposition HHH oversight committees are packed with business interests and political insiders.
- •The public sanitation facilities program is stuck in neutral amid a Hepatitis A outbreak.
- •Despite token overtures, the Skid Row community has been effectively locked out of the homeless policy creation and implementation process.
- •Homeless outreach programs have received priority funding even though services are extremely scarce
- •Earliest estimated move in date for permanent supportive housing is: July 2019⁷.

Current Conditions on the Ground

For the past decade, LA CAN has worked tirelessly to raise public awareness of the causal link between our housing crisis, gentrification, and homelessness. Traditionally there was political pressure to treat homelessness as something different or not a symptom of our persistent lack of housing options at the deeply-low 0-15% of Area Median Income (AMI), extremely-low or 16-30% of AMI, and very-low 30-50% of AMI. The narrative created, intentional or not, was that homelessness was essentially created by the closure of mental health facilities, or, was a byproduct of personal choice, neither of which is true.

Office of the City Administrative Officer, Subject: Proposition HHH Administrative Oversight Committee Recommendations Relative to the Permanent Supportive Housing Loan Program and Facilities Program Fiscal Year 2017-18 Project Expenditure Plans and Proposed Programs for the next Fiscal Year, May 16, 2017

Study after study point to one thing: If Los Angeles does not create a realistic plan to address the housing needs of those currently at Deeply-Low, Extremely-Low, and Very-Low AMIs many families and residents will find themselves homeless as a result.

Affordable housing is defined by the Federal Government as paying no more than 30% ⁸ of your household income towards housing. Using this definition multiple studies concluded that a majority of Angelenos pay far more than 30% of their incomes for housing, meaning at a minimum, that they are cost burdened. To make matters worse many Angelenos are Severely Cost Burdened as more than 50% of their total household income goes towards housing.

Affordable housing is generally targeted at different income ranges, including Extremely-Low income (30% AMI), Very-Low income (50% AMI), Low-Income (80% AMI), or Moderate-Income (120% AMI). However, Deeply-Low 0-15% of Area Median Income (AMI), and Extremely-Low or 16-30% of AMI is said to be the hardest to build. LA CAN believes that it is important for Angelenos to know who actually is in need of affordable housing and what AMI targeting corresponds with their current incomes:

Professions and average incomes	
*30% AMI	50% AMI
Dishwashers \$21,139	Nursing Assistants \$31,102
Street Vendors \$22,542	EMT/ Paramedics \$36,501
Sports Officials \$22,288	Janitors \$30,368
Host/Hostess \$23,525	Carpenters \$33,643
60% AMI	80%
Flight Attendants \$47,880	Police, Fire, Ambulance
Secretaries \$41,098	Dispatchers \$55,445
Substitute teacher \$41,178	Mail Carriers \$54,401
Reporters \$48,442	Kindergarten Teachers
	\$63,162
1200/	
120%	
Middle School Teachers \$69,259	
Healthcare Practitioners \$69,513	

Sky high rents are the new normal throughout the City of Los Angeles. For example, in the Hyde Park neighborhood located in Council District 8, the median rent was \$2,458 in May 2017, which is \$29,496 in annual rent payments requiring a minimum income of \$98,320 to be affordable.

⁸ See at https://affordablehousingonline.com/housing-common-questions

The aforementioned ranges are far below the incomes needed to afford available market rate housing. The median rent of available rental housing in the City of Los Angeles was \$2,880 in May 2017, which translates to \$34,560 in annual rent payments, requiring a minimum income of \$115,200 to be considered affordable⁹.

In April 2017 the California Housing Partnership Corporation released its report, *The Los Angeles County Annual Affordable Housing Outcomes Report*. The report painted a vivid picture of what's at stake if we fail to seriously address the Los Angeles housing crisis. The authors note:

""Unfortunately, although the existing inventory of affordable homes and rental assistance programs in the County are helping stem the tide of homelessness and address the affordability crisis. they are not commensurate with the need for affordable homes, which extends well beyond the 47,000 officially homeless". The Report finds that the County needs to add more than 550,000 affordable homes to meet current demand among renter households at or below 50 percent of Area Median Income (AMI). The report further notes that nearly all lower-income renter households in the County are severely cost-burdened, meaning they spend more than half of their income on rent and are in danger of becoming homeless. This includes 92 percent of those who are Deeply Low Income (DLI), 73 percent of those who are Extremely Low Income (ELI) and 42% of those who are Very Low Income (VLI). Meanwhile, virtually no higher-income households are severely cost burdened and the vast majority including 92 percent of renter households with incomes above 120 percent of AMI—spend less than 30 percent of their income on rent"¹⁰.

Los Angeles is on the precipice, in an almost Dickensian fashion, of becoming a real-life tale of two cities. As Apartment List/Rentonomics found in its 2016 report, "Southern California is one of the most unaffordable regions in the US – each of the four metros have cost-burden rates of 56% or more. Most worryingly, affordability has not improved much in recent years, as wage growth fails to outpace rent increases" 11. The report would go on to document an increase of cost burdened renters from 55.6% in 2005 to 58.6% in 2015.

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⁹ Coalition for A Just Los Angeles, To: Councilmember Marqueece Harris-Dawson and Staff, 2017 (see professions and average incomes)

¹⁰ Los Angeles County Annual Affordable Housing Outcomes Report, California Housing Partnership Corporation, 2017

¹¹ Which Metros Have the Most Cost-Burdened Renters? Andrew Woo and Chris Salviati, Apartment List, 2016

House Keys Not Handcuffs

Alex Vitale scrupulously describes policing in the United States in his latest book, *The End of Policing.* His depiction encapsulates the ways in which Los Angeles is responding to the housing crisis:

> "As poverty deepens and housing prices rise, government support for affordable housing has evaporated, leaving in its wake a combination of homeless shelters and aggressive broken-windowsoriented policing... As mental health facilities close, police become the first responders to calls for assistance with mental health crises. As youth are left without adequate schools, jobs, or recreational facilities, they form gangs for mutual protection or participate in the black markets of stolen goods, drugs, and sex to survive and are ruthlessly criminalized. Modern policing is largely a war on the poor that does little to make people safer or communities stronger, and even when it does, this is accomplished through the most coercive forms of state power that destroy the lives of millions. 12",

In 2017, criminalization continues to be Los Angeles's default option for "ending" homelessness. The city has attempted to change how it describes law enforcement's involvement in the Comprehensive Homeless Strategy, but the fact remains that sweeps, arrests and laws making it easier to banish houseless people are integral to the city's rollout of HHH. A study released in 2015 reported that the city spent \$100 million a year dealing with homelessness, and much of that money was spent on law enforcement response calls, prompting Councilman Mike Bonin to say "for the most part, we're wasting \$100 million a year".

Strategically, political rhetoric remains a powerful tool in the hands of council members who are unwilling to pursue real housing solutions for poor and houseless people in their districts. Priority continues to be given to the wants of the privileged while neglecting the needs of the most vulnerable. So much so that "it's left cities in a quandary as they try to protect the rights of residents and business owners who complain that the encampments and street-corner begging leads to an overall decline in the area, creating a hardship for everyone else"¹⁴.

Councilmember Jose Huizar recently opposed a Permanent Supportive Housing development being built in his district saving, "it's not good for the people who go get those services and it's not good for the neighborhood³¹⁵. On another occasion, Huizar, in a televised interview near the site of a proposed market-rate development, advised Angelenos to "never call the police", while his district tops the list of arresting houseless people in overwhelmingly high numbers.

 $^{^{12}\,}$ 'Our Ever-Deadlier Police State', Chris Hedges & Alex Vitale, Truthdig, October 22, 2017

 $^{^{13} \ \ ^{} \}text{Downtown San Pedro homeless camp being cleared out'}, Daily Beast, Updated April 24, 2015 \\ \underline{\text{http://www.dailybreeze.com/2015/04/24/downtown-san-pedro-learned}}$ homeless-camp-being-cleared-out/

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'Downtown San Pedro homeless camp being cleared out', Daily Beast, August 2017

LA City Councilman Jose Huizar on why he opposes a homeless housing project in Boyle Heights, August 17, 2017, https://www.scpr.org/programs/take-2 two/2017/08/17/58642/l-a-city-councilman-jose-huizar-on-why-he-opposes/

Councilmember Bonin, arguably the best informed elected official in Los Angeles regarding the failures of criminalization, recently voted against additional resources for the highly touted HOPE Teams, suggesting instead that more money be allocated to services like restrooms. His district finds itself on the list of communities facing the highest numbers of arrests in the city.

Los Angeles City Attorney Mike Fuerer recently began campaigning for a FEMA-type field general to take over efforts to establish shelters and facilities in response to chronic homelessness in Los Angeles. While on its face the call appeared to display a type of political courage absent amongst local elected officials, one missing element was clear: housing. Why, after voters passed a \$1.2 billion bond measure for housing, would the City Attorney fight for more navigation centers (storage centers) and not mention permanent housing?

This strategy is confirmed by Councilmember Buscaino's Policy Director, Dennis Gleason when he stated to a disgruntled audience:

"If the city provides off-street storage, we can limit personal property to one backpack," Gleason said. "We fought to get what we consider to be an ordinance that most protects the rights of you, the property owners... We're confident this will stand up (legally)¹⁶."

It is in moments like these that rhetoric gives way to reality. The recently amended 56.11 allows the City of Los Angeles to limit the amount of property a homeless person can have to a single back-pack once storage facilities are provided. This is grossly inadequate and puts people in peril as anyone who has to live on the streets, especially in the winter in Los Angeles, can attest. You cannot fit your tent or blankets in a backpack. Furthermore, this idea of storage isn't adequate because you cannot always get to it as facilities are not open every day to accommodate people.

*This is an example of what homeless people living in Skid Row are facing everyday:

Mr. David Ruther, a 63-year-old disabled man, who has been living on skid row for the past 7 years, complained of being given two tickets by LAPD for 41.18d (a municipal code for no sitting, sleeping or lying) for having his tent up. The same officers who had previously ticketed him came back with "operation healthy streets" and arrested him because the 41.18d tickets had advanced to warrants. Mr. Ruther spent the night in jail. He was released the following day without seeing a judge. When he returned to where he had been living, sanitation had taken his property and left a note for him to collect his belongings at the BIN storage facility. Mr. Ruther had to wait until the next day to retrieve his property and therefore had to sleep without a tent and blankets. The next day BIN refused to give Mr. Ruther his property because he didn't have a valid California identification card. When Mr. Ruther was finally able to get a friend to accompany him to verify he was indeed who he said he was, he noticed that 85% of his property was missing, his blankets, personal items, and tent had been destroyed. 17

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^{16 &#}x27;San Pedro meeting erupts over homeless storage', Daily Breeze, October 5, 2016, http://www.dailybreeze.com/2016/10/05/san-pedro-meeting-erupts-over-homeless-storage-center/

Sean Gregory & General Dogon of LACAN, with David Ruther, October 2017

A deeper look into the arrest patterns of houseless people compared to housed residents illustrates a disturbing pattern. UCLA's Million Dollar Hoods project, which analyzed LAPD data, found that from 2011-2016 while overall arrests were down houseless arrests were on the rise. This damning report sheds light on a time period (2011 – 2016) when the LAPD and City Officials stated publicly that arresting their way out of homelessness was not an option. In a July 2015 interview with CityLab, Mayor Garcetti said that "the City must balance the need to maintain its sidewalks with the rights of people who have no other choice but to live on them. 18,7

The Million Dollar Hoods Report goes on to state that "LAPD arrests of houseless persons are on the rise. In fact, LAPD arrests of houseless persons are increasing at a rate faster than the growth of the houseless population. Whereas the number of houseless persons in the City of Los Angeles increased 21% between 2011 and 2016, LAPD arrests of houseless persons increased 37% in those same years. Moreover, whereas the total number of LAPD arrests have declined since 2011, houseless arrests as a percentage of total LAPD arrests nearly doubled from 7% to 12% between 2011 and 2016."19

The same report showed African Americans represent the majority of all houseless arrests (37%) and the majority of the houseless population (43%). Arrest rates of houseless Latinos doubled between 2011 and 2016, accounting for 53% of the increase in all houseless arrests.

It is clear that the City of Los Angeles has not reduced its reliance on LAPD to arrest its way out of the homeless crisis; in many ways it appears that the city has doubled-down. Also of concern is the blatant push to build storage facilities in order to enforce a newly revised 56.11 and continue this pattern of criminalization.

Housing Disparity

A new report from the nonprofit California Partnership Corporation indicates that Los Angeles County needs more than 500,000 new units of affordable housing to satisfy demand from very low and extremely low-income earners²⁰. Previously, the city built around 300 units of permanent supportive housing per year. With the addition of HHH funds, that number is projected to increase to 1,000 units annually.

At the same time, rent-controlled apartments are disappearing due to the Ellis Act, which allows owners to evict if they are selling or transforming their units into condos (many are illegal evictions), and the Costa Hawkins Act, which allows huge increases in rent. Both should be abolished as the two acts allowed thousands of rental units to be taken off the market during a severe shortage and remaining units have soaring rents. "Between 2001 and 2016, almost 22,000 rental units were eliminated in Los Angeles," according to the Los Angeles Times²¹.

 $^{^{18} \}text{`Now More Than Ever, It Sucks to Be Homeless in L.A.', July 15, 2015, } \underline{\text{https://www.citylab.com/equity/2015/07/now-more-than-ever-it-sucks-to-be-homeless-in-less-to-be-h$ in-la/398195/ 19 Ibid #1.

²⁰ Report: LA County needs more than 500,000 new units of affordable housing, May 23, 2017, https://la.curbed.com/2017/5/23/15681418/la-county-affordablehousing-shortage-crisis-rental-prices
21
'L.A. stiffens rules for replacing rent-controlled units', April 19, 2017, http://www.latimes.com/local/lanow/la-me-ln-housing-ellis-act-20170404-story.html

According to LA city councilmember Jose Huizar, "Displacement is a real issue in Los Angeles for people from all backgrounds and communities throughout the city."22

Fiscal Year 17-18 PSH Plan²³ – the Pipeline

The nine HHH housing developments being recommended by the FY 2017-18 Project Expenditure Plan (including \$73,157,162 for project costs; and \$1,203,933 for staffing costs) will provide a total of 615 units, of which 416 will be designated as permanent supportive housing units. Of the 416 units that are designated as supportive housing units, approximately 225 of them (54%) will be set aside for the chronically homeless. (All individuals with a disability who have been homeless for at least one year, or on four separate occasions in the last three years). See Appendix 1

Fiscal Year 17-18 Facilities²⁴ Plan

The FY 2017-18 Prop. HHH Facilities Program Project Expenditure Plan recommends \$12,004,219 in Prop. HHH funding for six projects. One of the projects is a proposed City Service Center that would provide storage, bathrooms, showers and service space. The five noncity recommended facilities will serve multiple homeless populations with one specifically for homeless veterans. See Appendix 2

Recommendations

- 1. Preserve affordable housing stock. Reflecting an extreme shortage of affordable housing in the city, a majority of Angelenos are cost burdened or severely cost burdened, paying 50% or more of their household incomes in housing. Last year, more than 1,370 rent controlled units were taken off the market through Ellis Act evictions, which doubled in LA from 2013 to 2014²⁵. The city is considering new rules to discourage the demolition of rent-controlled apartments²⁶. Tenant advocates like LA CAN have long complained that the current rules allow landlords to skirt the terms of LA's rent control ordinances, calling for stiffer laws to protect vulnerable tenants in Los Angeles. As the city ramps up production of Prop. HHH affordable and permanent supportive housing it also needs to preserve the inventory of rent-stabilized units.
- **2.** Use city-owned property for low-income housing. In October 2016, City Controller Ron Galperin prepared a report for the mayor and city council on the management of the City of Los Angeles's "vast portfolio of real estate, encompassing nearly 9,000 distinct parcels within the County of Los Angeles alone"²⁷. Noting that many properties are "underutilized," the report listed ways they could "better serve the public – be it as public space, revenue-producing income

²² 'Rent hikes and evictions — is it the last stand for artists in the Arts District?', October 27, 2017, http://www.latimes.com/entertainment/arts/miranda/la-et-cam-the-artists (Proposed Section 2) (Proposed Sectio last-stand-artists-arts-district-20171027-htmlstory.html

Office of the City Administrative Officer, Subject: Proposition HHH Administrative Oversight Committee Recommendations Relative to the Permanent Supportive Housing Loan Program and Facilities Program Fiscal Year 2017-18 Project Expenditure Plans and Proposed Programs for the next Fiscal Year, May 16,

²⁴ Ibid #22.

²⁵ Curbed LA, January 27, 2016 "Los Angeles has Mapped Every Building's Rent Control Status" by Bianca Barragan

²⁶ Curbed LA September 28, 2017 "LA is mulling new rules to prevent the demolition of rent-controlled apartments" by Elijah Chiland

Letter to Mayor Eric Garcetti from Members of the City Council, Re. Los Angeles City Real Estate Portfolio Management, dated; October 27, 2016

property, low income housing...and much more. ²⁸" Given the magnitude of the city's homeless crisis, low income housing should be the priority. All parcels in LA's real estate portfolio should be examined to see if they are suitable for building/repurposing as affordable housing.

- **3. Embrace the unconventional.** In addition to financial resources and political will, innovation is an essential ingredient for addressing homelessness. As the cost of land, materials and labor drive the unit price of PSH to more than \$400,000 (including supportive services), affordable solutions are catching on in particular tiny- and container homes. Tiny-house villages are an alternative approach to housing the homeless that's catching on in cities from coast-to-coast. Retail giant Amazon is getting into the business, delivering prefabricated studio-size units for \$40,000. Advancements in technology and manufacturing make it possible to produce small houses that are architecturally consistent with all kinds of neighborhoods a key selling point given community opposition to homeless housing. Given the city's history of environmental activism, and the mayor's pledge to abide by the Paris Climate Agreement, Los Angeles has an opportunity to take the tiny homes movement to a new level by creating energy-efficient "compact green neighborhoods" with solar power, composting toilets, rain water collection to irrigate drought-resistant plants and bike lanes.
- **4. Expand access to public sanitation.** A critical lack of hygiene facilities poses health challenges to the homeless and public at large. An audit of the public toilets in Skid Row, June 2017 found that 1,777 unsheltered homeless people had to share 9 toilets, "38% of audited toilets were not operating during supposedly open hours" and the few existing toilets are "poorly maintained and inaccessible" Additionally, houseless women are far more impacted by the dearth of sanitation in skid row, with the added difficulty of managing menstruation and a of lack access to affordable sanitary supplies.

The City has a responsibility to ensure public streets do not create a substantial risk of injury to members of the general public. This includes keeping public restrooms in good repair, free from dirt, adequately supplied with running water, furnished with soap and individual towels with a receptacle for their disposal. Much of the potential health hazards burrowed in skid row could be controlled by the city simply adhering to rules that require it to maintain hand-washing facilities for the public. The recent Hepatitis A outbreak may have been avoided had the city complied with health and safety codes in areas that require immediate attention.

Access to adequate sanitation as an issue of public health equity (and compliance with state and federal laws) must be made available to disadvantaged communities who lack basic infrastructure, (including clean drinking water, clean streets, trash cans and trash collection) and disproportionately bear the health impacts of being the most underserved in the US.

5. LAPD must stop the criminalization of homeless residents. Criminalizing the poor in the form of "broken windows" policing and "quality of life" initiatives is counterproductive to efforts to address homelessness – that is, cities cannot arrest their way out of homelessness. Nevertheless, the Los Angeles Police Department has been very busy arresting homeless people

 $^{\rm 29}$ 'No Place to Go: An Audit of Public Toilets in Skid Row', June 2017

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 $^{^{\}hbox{28}}$ Los Angeles City Real Estate Portfolio Management, October 27, 2016

in 2017. Arrests of the houseless and individuals with mental illness are up 49% year over year, according to the LAPD's 2nd Quarter Report on Homelessness and Mental Illness.

- **6. Include the community in decision-making process.** Rather than give the homeless policy status quo – which for decades has turned a blind eye as the crisis spread from Skid Row to throughout the city – more money to do what they do, the mayor and city council have an alternative: include the homeless community in the implementation process. To solve homelessness you must include houseless people in the discussion. They know what they need and have proven solutions that foster self-determination, stress the need for housing and do not involve the police at any step in the project. But politicians tend to delegate authority to marginally qualified people. A college degree or success in business means nothing unless you truly understand, and to truly understand you must be homeless. LA CAN and other homeless advocates have the understanding and street cred to assemble a "blue ribbon commission" of houseless people with the life experience and know-how to provide a fresh perspective on what needs to be done to achieve significant results.
- 7. Make public education a priority. One of the biggest obstacles to building permanent supportive housing is finding suitable building sites. Many residents in communities across the city oppose low-income housing developments, a phenomenon known as NIMBY (not in my back yard). Many, including city council member Marqueece Harris-Dawson, who chairs the council's homelessness and poverty committee, believe public education is essential to the successful implementation of Prop. HHH. "People don't understand permanent supportive housing, and we need to educate them," Harris-Dawson said at a public forum on homelessness earlier this year. HHH funds cannot be used for public relations efforts to combat NIMBYism, leaving developers responsible for community outreach. However, additional opinion-shaping resources are due to arrive from the United Way, which has committed to a countywide PSH awareness campaign including PR, town hall meetings, social media, PSH tours and paid advertising.

Conclusion

For years, Los Angeles has been dubbed the "homeless capital" of America. Officials blame tepid job growth, lack of mental health services, soaring rents and Congress' failure to fund affordable housing for the city's dubious honor. What they don't acknowledge is a legacy of developer-friendly housing policies that have resulted in the forced removal of entire communities at the behest of deep-pocketed campaign donors.

Los Angeles now has more money than ever before to combat homelessness. But one year after the passage of HHH people living on the edge have yet to see any improvement in their plight. "More urgent remedies — getting assistance to the thousands of people living on the city's sidewalks — have met disappointments," the Los Angeles Times noted days after voters approved HHH, identifying a shortcoming that still persists.

Mayor Eric Garcetti promised that the city plans more immediate relief by converting motels and developing unused city land for homeless apartments³⁰.

 $^{^{30} \}text{ `L.A. will convert motel units to 500 apartments for homeless vets', May 27, 2016, \\ \underline{\text{http://www.latimes.com/local/lanow/la-me-ln-motel-homeless-conversions-less}}$

But residents in the city's poorest communities of South Central and Skid Row, who worked tirelessly during the campaign for passage of HHH, are feeling used because of the lack of progress in delivering on the mayor's words. "What's in it for us?" they want to know. If the city's initial HHH rollout is any indication, the answer will be more of the same – all show and no substance.

The status quo is not an option. Despite a glut of luxury apartments that has prompted landlords to offer juicy incentives in order to fill vacant units, more pricey projects are in the pipeline while affordable housing construction proceeds at a glacial pace. At the same time, the short-term needs of people on the street trying to exit homelessness are not being adequately addressed.

Finally, the goal of Proposition HHH to fund the construction of 10,000 units of permanent supportive housing is predicated on leveraging the \$1.2 billion bond sale proceeds by a factor of three. In addition to seeking additional city, state and federal resources, the mayor has proposed charging a fee on construction and using the funds to build affordable housing. However, the "linkage fee" proposal is stalled in the city council.

Philanthropy can fill the funding gap. LA is home to 20 billionaires³¹ and has the second most number of households in the US with wealth of \$5 million or more³². The mayor should use his bully pulpit to challenge LA's elites to open their wallets and create a Marshall Plan for ending homelessness in Los Angeles by 2028, when the eyes of the world will be on the city as it hosts the summer Olympics.

Epilogue

Ultimately it gets down to a contest between two competing visions of the city's future: Manhattan of the West Coast versus preserving the historical, diverse and vibrant character of the City of Angels.

Which one prevails likely will be decided behind closed doors unless there is intense community pressure for full transparency and disclosure of homeless policy and spending, as required under Proposition HHH.

^{31 &#}x27;L.A. is a Top City for Billionaires', LA Weekly, March 17, 2016, http://www.laweekly.com/news/la-is-a-top-city-for-billionaires-6723612

^{32 &#}x27;See Which U.S. Cities Have the Biggest Number of Millionaires', Fortune, July 26, 2017, http://fortune.com/2017/07/26/cities-millionaires/

Appendix 1 Fiscal Year 17-18 PSH Plan

Five of the projects entail demolition/rehabilitation and new construction, four will be new construction. Excerpted project descriptions:

88th & Vermont

Council District No. 8

Total units: 62

PSH units: 46 (23 chronically)

HHH funding commitment: \$9.68 million *Estimated completion date: January 2020

Path Metro Villas Phase II

Council District No. 13

Total units: 122

PSH units: 90 (46 chronically)

HHH funding commitment: \$3.5 million Estimated completion date: November 2019

Six Four Nine Lofts

Council District No. 14

Total units: 55

PSH units: 27 (14 chronically)

HHH funding commitment: \$5.5 million Estimated completion date: October 2019

AMRC McCadden Campus – TAY Housing

Council District No. 4

Total units: 26

PSH units: 25 (12 chronically)

HHH funding commitment: \$5.01 million Estimated completion date: November 2019

Casa del Sol

Council District No. 6

Total units: 44

PSH units: 43 (22 chronically)

HHH funding commitment: \$8.06 million Estimated completion date: March 2020

Flor 401 Lofts

Council District No. 14

Total units: 99

PSH units: 49 (25 chronically)

HHH funding commitment: \$11.98 million Estimated completion date: June 2020

RISE Apartments

Council District No. 9

Total units: 57

PSH units: 56 (42 chronically)

HHH funding commitment: \$9.5 million Estimated completion date: October 2019

SP 7 Apartments

Council District No. 14

Total units: 100

PSH units: 55 (28 chronically)

HHH funding commitment: up to \$12 million

Estimated completion date: July 2020

The Pointe on Vermont

Council District No. 8

Total units: 50

PSH units: 25 (13 chronically).

HHH funding commitment: \$7.9 million Estimated completion date: July 2019

^{*}Subject to change pending construction start date(s).

Appendix 2 Fiscal Year 17-18 Facilities Plan

Three of the projects entail rehabilitation, three will be new construction. Excerpted project descriptions:

88th & Vermont Youth and Community Center

Submitting agency/organization: Community Build

Council District No. 8 Project type: Service Center

HHH funding commitment: \$3.2 million Estimated completion date: July 2018

Corner of Hope

Submitting agency/organization: JWCH Institute

Council District No. 14 Project type: Clinic

HHH funding commitment: \$435,800 Estimated completion date: April 2018

South Campus

Submitting agency/organization: LA Family Housing

Council District No. 6

Project type: Service center & transitional housing

HHH funding commitment: \$1.3 million Estimated completion date: August 2018

Joshua House Health Center

Submitting agency/organization: Los Angeles Christian Health Centers

Council District No. 14 Project type: Clinic

HHH funding commitment: \$3.7 million Estimated completion date: May 2019

Homeless Vets at the Marion

Submitting agency/organization: Volunteers of America Los Angeles

Council District No. 14

Project type: Transitional housing HHH funding commitment: \$220,765 Estimated completion date: June 2018

Service Center

Submitting agency/organization: City of Los Angeles

Council District No. 8 Project type: Center

HHH funding commitment: \$3.1 million Estimated completion date: September 2018 Print

Los Angeles Charter and Administrative Code

ARTICLE IX DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT

Section

- 900 Purpose.
- 901 Department of Neighborhood Empowerment.
- 902 Board of Neighborhood Commissioners.
- 903 General Manager.
- 904 Development of the Neighborhood Council Plan.
- 905 Implementation of the Plan.
- 906 Certification of Neighborhood Councils.
- 907 Early Warning System.
- 908 Powers of Neighborhood Councils.
- 909 Annual City Budget Priorities.
- 910 Monitoring of City Services.
- 911 Appropriation.
- 912 Review.
- 913 Transfer of Powers.
- 914 Effect of Ordinances.

Sec. 900. Purpose.

To promote more citizen participation in government and make government more responsive to local needs, a citywide system of neighborhood councils, and a Department of Neighborhood Empowerment is created. Neighborhood councils shall include representatives of the many diverse interests in communities and shall have an advisory role on issues of concern to the neighborhood.

Sec. 901. Department of Neighborhood Empowerment.

The Department of Neighborhood Empowerment shall have the duties and responsibilities set forth in this Article and elsewhere in the Charter to implement and oversee the ordinances and regulations creating the system of neighborhood councils enacted pursuant to Section 905. Duties and responsibilities shall include:

- (a) prepare a plan for the creation of a system of neighborhood councils to ensure that every part of the City is within the boundary of a neighborhood council, and has an opportunity to form a neighborhood council (Plan);
- (b) assist neighborhoods in preparing petitions for recognition or certification, identifying boundaries that do not divide communities, and organizing themselves, in accordance with the Plan;
- (c) arrange Congress of Neighborhood meetings if requested to do so by recognized neighborhood councils;
 - (d) assist neighborhood councils with the election or selection of their officers;
 - (e) arrange training for neighborhood councils' officers and staff;

- (f) assist neighborhood councils to share resources, including offices, equipment, and other forms of support for them to communicate with constituents, other neighborhood councils and with government officials; and
 - (g) perform other duties as provided by ordinance.

Sec. 902. Board of Neighborhood Commissioners.

- (a) There shall be a board of seven commissioners to be known as the Board of Neighborhood Commissioners (board). Commissioners shall be appointed by the Mayor, and shall be from diverse geographic areas, as further specified by ordinance. Appointment and removal of commissioners shall otherwise be in accordance with Section 502.
- (b) The board shall be responsible for policy setting and policy oversight, including the approval of contracts and leases and the promulgation of rules and regulations, but shall not be responsible for day-to-day management.
 - (c) The board shall operate in accordance with Sections 503 through 508 and 510 of the Charter.

Sec. 903. General Manager.

- (a) There shall be a general manager of the Department of Neighborhood Empowerment who shall be appointed by the Mayor, subject to confirmation by the Council, and may be removed as provided in Section 508.
 - (b) The general manager shall have those powers and duties set forth in Section 510.
- (c) The general manager shall appoint, discharge and prescribe the duties of staff, consistent with the civil service provisions of the Charter.

Sec. 904. Development of the Neighborhood Council Plan.

The Department of Neighborhood Empowerment shall develop a Plan for a citywide system of neighborhood councils, in conformance with the following:

- (a) The Department of Neighborhood Empowerment shall seek public input in the formulation of the Plan.
- (b) The Plan shall contain a statement of goals, policies and objectives of the Neighborhood Council system, and shall contain specific regulations, in draft ordinance format (Regulations) which, if adopted by ordinance, would be sufficient to implement the Plan.
- (c) The Regulations shall establish the method by which boundaries of neighborhood councils will be determined. The system for determining boundaries shall maintain neighborhood boundaries to the maximum extent feasible, and may consider community planning district boundaries where appropriate.
- (d) The Regulations must ensure that all areas of the City are given an equal opportunity to form neighborhood councils.

- (e) The Regulations shall establish the procedure and criteria for recognition or certification of neighborhood councils.
- (f) The Regulations shall not restrict the method by which the members of a neighborhood council are chosen, if the process otherwise satisfies the requirements of this Article.
- (g) The Regulations shall require that neighborhood councils adopt fair and open procedures for the conduct of their business.
- (h) The Mayor and Council shall provide for the creation of the Department of Neighborhood Empowerment and appointment of the general manager within 120 days of the effective date of this Article.

Sec. 905. Implementation of the Plan.

The Department of Neighborhood Empowerment shall complete development of the Plan and present the Plan and all necessary Regulations for a system of neighborhood councils to the Council and Mayor within one year of the establishment of the department and commission. The Council shall consider the Regulations, and within six months after presentation of the Plan to Council may adopt ordinances to implement the Regulations as proposed, or as modified by the Council consistent with the requirements of the Plan set forth in Section 904. If implementing ordinances are not adopted within this time period, the Regulations shall become effective, and to the extent not inconsistent with law shall be binding upon all City departments and offices.

Sec. 906. Certification of Neighborhood Councils.

- (a) **By-laws.** Each neighborhood council seeking official certification or recognition from the City shall submit an organization plan and by-laws to the Department of Neighborhood Empowerment showing, at a minimum:
 - (1) the method by which their officers are chosen;
 - (2) neighborhood council membership will be open to everyone who lives, works or owns property in the area (stakeholders);
 - (3) assurances that the members of the neighborhood council will reflect the diverse interests within their area;
 - (4) a system through which the neighborhood council will communicate with stakeholders on a regular basis;
 - (5) a system for financial accountability of its funds; and
 - (6) guarantees that all meetings will be open and public, and permit, to the extent feasible, every stakeholder to participate in the conduct of business, deliberation and decision-making.
- (b) **Petitioning for Certification and Approval.** Neighborhood councils may petition for certification or recognition in accordance with rules and procedures set forth in the Plan.

Sec. 907. Early Warning System.

The Regulations shall establish procedures for receiving input from neighborhood councils prior to decisions by the City Council, City Council Committees and boards and commissions. The procedures shall include, but need not be limited to, notice to neighborhood councils as soon as practical, and a reasonable opportunity to provide input before decisions are made. Notices to be provided include matters to be considered by the City Council, City Council Committees, and City boards or commissions.

Sec. 908. Powers of Neighborhood Councils.

Subject to applicable law, the City Council may delegate its authority to neighborhood councils to hold public hearings prior to the City Council making a decision on a matter of local concern.

Sec. 909. Annual City Budget Priorities.

Each neighborhood council may present to the Mayor and Council an annual list of priorities for the City budget. The Mayor shall inform certified neighborhood councils of the deadline for submission so that the input may be considered in a timely fashion.

Sec. 910. Monitoring of City Services.

Neighborhood councils shall monitor the delivery of City services in their respective areas and have periodic meetings with responsible officials of City departments, subject to their reasonable availability.

Sec. 911. Appropriation.

The Mayor and Council shall appropriate funds for the Department of Neighborhood Empowerment and for the startup and functioning of neighborhood councils for the first two years after the effective date of this Article. Funds shall be appropriated into a special fund to be established by ordinance. The Mayor and Council shall thereafter appropriate funds for the department and neighborhood councils at least one year in advance of each subsequent fiscal year.

Sec. 912. Review.

The Mayor and Council shall appoint a commission as prescribed by ordinance to evaluate the provisions of this Article, the Regulations adopted pursuant to this Article, and the efficacy of the system of neighborhood councils no later than seven years after the adoption of the Charter. The commission shall make recommendations to the Council regarding changes to the Charter or the Regulations, as it deems appropriate.

Sec. 913. Transfer of Powers.

Notwithstanding any other provision of the Charter, the Mayor and Council shall not transfer powers, duties or functions of the Department of Neighborhood Empowerment to any other department, office or agency pursuant to Section 514 during the first five years after implementation of the Plan pursuant to Section 905.

Sec. 914. Effect of Ordinances.

APPROVED MAY 30, 2001

AMENDED

November 8, 2002; May 20, 2005; October 25, 2006; February 20, 2008

August 6, 2008; February 20, 2009; March 5, 2010, September 17, 2013

December 18, 2013



Article I

Goals and Objectives of the Neighborhood Council System

The goals and objectives of the Plan are to:

- 1. Promote public participation in City governance and decision making processes so that government is more responsive to local needs and requests and so that more opportunities are created to build partnerships with government to address local needs and requests.
- 2. Promote and facilitate communication, interaction, and opportunities for collaboration among all Certified Neighborhood Councils regarding their common and disparate concerns. Neighborhood Councils may join together in regional and citywide alliances as a means to engage in communication, interaction and collaboration. *
- 3. Facilitate the delivery of City services and City government responses to Certified Neighborhood Councils' problems and requests for assistance by helping Certified Neighborhood Councils to both identify and prioritize their needs and to effectively communicate those needs.
- **4.** Ensure equal opportunity to form Certified Neighborhood Councils and participate in the governmental decision making and problem solving processes.
- **5.** Create an environment in which all people can organize and propose their own Certified Neighborhood Councils so that they develop from the grassroots of the community.
- **6.** Foster a sense of community for all people to express ideas and opinions about their neighborhoods and their government.

^{*} Amended 2/20/09 per Council resolution

Article II

Desired Characteristics of Neighborhood Councils

1. Inclusive Membership

Certified Neighborhood Councils shall be diverse, inclusive and open to all Community Stakeholders. A Community Stakeholder is defined as any individual who lives, works or owns real property in the neighborhood and also to those who declare a stake in the neighborhood as a community interest stakeholder, defined as a person who affirms a substantial and ongoing participation within the neighborhood council's boundaries and who may be in a community organization such as, but not limited to, educational, non-profit and/or religious organizations. *

2. Statement of Non-Discrimination

Certified Neighborhood Councils must encourage all Community Stakeholders to participate in all of their activities, and may not discriminate in any of their policies, recommendations or actions against any individual or group on the basis of race, religion, color, creed, national origin, ancestry, sex, sexual orientation, age, disability, marital status, income, homeowner status, renter status or political affiliation. **

3. Transparent Operations

Certified Neighborhood Councils shall adopt fair and open procedures for the conduct of their business.

4. Independent Entities

Certified Neighborhood Councils shall be as independent, self-governing, and self-directed as possible. The Department of Neighborhood Empowerment (DONE) shall assist Certified Neighborhood Councils to pursue options, including, but not limited to, tax-exempt status and/or non-profit incorporation, to strengthen their independence. Tax-exempt status and/or non-profit incorporation will have no effect on a Certified Neighborhood Council's eligibility for assistance, monetary or otherwise, from DONE.

^{*}Amended 12/18/13 per Council Resolution

^{**} Amended 2/20/09 per Council Resolution

Article III

Certification of Neighborhood Councils

- 1. DONE responsibilities. On July 1, 2001, after the adoption of the Neighborhood Council Plan. DONE shall:
 - (a) Announce and inform the public of the Neighborhood Council certification process Citywide, but DONE shall not accept completed certification applications until October 1, 2001.
 - (b) Actively promote the formation of Certified Neighborhood Councils Citywide, giving emphasis to those areas and Community Stakeholder groups with traditionally low rates of civic participation in government.
 - (c) Facilitate and encourage collaboration and discussion among neighboring and overlapping applicant groups and provide technical assistance on how to proceed with a unified certification application, and provide dispute resolution services to applicants where more than one application is submitted for a Neighborhood Council boundary area to gain consensus on a unified certification application.
- **2.** Components of a Certification Application. A certification application shall, at a minimum, include the components listed in this section.

Boundaries

- (a) A detailed description of proposed boundaries shall be provided, including a rationale for drawing the proposed boundaries. Neighborhood Council applicants within a proposed Neighborhood Council boundary shall, to the extent feasible, work together in setting boundaries.
 - ➤ In identifying proposed Neighborhood Council boundaries, applicants are encouraged to reference other types of existing boundaries, including, but not limited to, the following:
 - (i) Census tracts as a means of complying with the minimum population size of 20,000 Neighborhood Council Community Stakeholders.
 - (ii) City service and planning areas, such as police and fire districts or Community Planning Planning Area boundaries.
 - A proposed set of boundaries should, to the maximum extent feasible, follow historic and contemporary community and neighborhood borders, and shall utilize natural boundaries or street lines and be geographically compact and contiguous.
 - ➤ The boundaries of two or more Certified Neighborhood Councils may not overlap with one another, unless the area for proposed inclusion into each

Certified Neighborhood Council is designed for a public use, such as a park, school, library, police or fire station, major thoroughfare, or contains a landmark or facility with historical significance.

- ➤ The inaugural boundaries of all Certified Neighborhood Councils shall be the limits of the City of Los Angeles (City). The boundaries of a Certified Neighborhood Council are encouraged to remain within the City limits because the City can only guarantee delivery of its services to City residents.
- Neighborhood Council boundaries should be comprised of no less than 20,000 Neighborhood Council Community Stakeholders. Areas that have fewer than 20,000 Neighborhood Council Community Stakeholders may be certified provided they meet the following criteria:
- (i) The proposed area is separated from adjacent communities by significant geographic features; or,
- (ii) The proposed area is identified by name within any of the 36 adopted Community Plan Areas of the City Planning Department; or,
- (iii) The proposed area represents a historic, identifiable neighborhood or community that is serviced by City service providers, such as a public library, park, recreation center, fire or police station, or a public school.
- ➤ A Neighborhood Council that comprises fewer than 20,000 Neighborhood Council Community Stakeholders must satisfy all requirements of this Plan.

Outreach

(b) The outreach process used to identify stakeholders within the proposed Neighborhood Council boundary must be described in detail. In order to demonstrate a good faith effort towards achieving a diversity of stakeholder representation, an applicant(s) shall collect no less than 200 and no more than 500 signatures from stakeholders that have an interest within the proposed Neighborhood Council boundaries. Signatures shall, to the maximum extent feasible, reflect the broadest array of Community Stakeholders who will actively participate in the proposed Neighborhood Council.

Bylaws

- (c) Bylaws shall be established, including the following information.
 - (i) Neighborhood Council name
 - (ii) Stakeholder Membership and the Governing Body
 - (1) The bylaws shall state that the Neighborhood Council membership is open to all Community Stakeholders.

- (2) The bylaws shall include a list of offices of the Governing Body and a method for regularly electing or selecting officers who shall serve as the Governing Body. For the purposes of this Plan, the term Governing Body refers to Community Stakeholders of a Certified Neighborhood Council who are empowered to make decisions on behalf of that Certified Neighborhood Council.
 - (a) A Neighborhood Councils governing body must, to the extent possible, reflect the diversity of the neighborhood council's stakeholders. All stakeholders must be eligible to vote and run for at least one board seat. Neighborhood councils may allocate their board seats to specific stakeholder categories and establish stakeholder eligibility requirements in voting for the board seats. If a neighborhood council allocates its board seats to specific stakeholder categories, then the neighborhood council must include at least one seat for which every stakeholder is eligible to vote and run. Neighborhood councils may not allocate a majority of their board seats to a single stakeholder group, unless approved by the Department upon a showing of extenuating circumstances. The election procedures created by the Department or City Clerk pursuant to the Los Angeles Administrative Code Section 20.36 shall require, in a situation where neighborhood council requires that a stakeholders to provide proof of eligibility, that proof of stakeholder status for community interest stakeholders must be consistent and substantially equivalent to the evidentiary proof required of stakeholders who live, work, or own property.*
 - (b) Terms of members of the Governing Body shall be for two or four years, to be decided upon by individual Neighborhood Councils. ** Neighborhood Councils may limit the total number of terms that a member of the Governing Body may serve, if the term limitations are set forth in the Neighborhood Council's bylaws after the date this provision was amended.
- (iii) Meeting procedures. Each Certified Neighborhood Council shall:
 - (1) Meet at least once per calendar quarter.
 - (2) Obey any or all sections of the State of California's open meeting procedures that apply to Neighborhood Councils (Ralph M. Brown Act), which includes posting meeting notices in generally accepted public places or through electronic media, such as e-mail or posting notice on DONE's Web page.
 - (3) Establish procedures for communicating with all Neighborhood Council Community Stakeholders on a regular basis in a manner ensuring that information is disseminated evenly and in a timely mannder.
 - (4) A process for running meetings, including:
 - (a) The number of Governing Body members that constitute a majority and a quorum;

- (b) The number of votes by a Governing Body for a Certified Neighborhood Council to take an official action, such as adoption of an item or position; and,
- (c) The way in which a vote by the Governing Body or action by a Certified Neighborhood Council can be reconsidered, if applicable.
- (iv) A grievance procedure shall be established by which an individual Community Stakeholder or group of Community Stakeholders of a Certified Neighborhood Council shall be able to express concerns to their Governing Body about its decisions and actions.

^{*} Amended 12/18/13 per Council Resolution ** Amended 02/20/08 per Council Resolution *** Amended 03/05/10 per Council Resolution

Financial Accountability

- (d) A system of financial accountability shall be established that governs a Certified Neighborhood Council's use of its funds. Each Certified Neighborhood Council shall:
 - (i) Prescribe a method for keeping a book of accounts that complies with applicable local, state, and federal laws, which includes any or all provisions of Generally Accepted
 - Accounting Principles that apply to a Certified Neighborhood Council, according to the type of entity established by a Certified Neighborhood Council.
 - (ii) Discuss its finances at a regularly scheduled or special meeting, prior to submitting an account statement to DONE (as prescribed below), in order to gather input from Neighborhood Council Community Stakeholders.
 - (iii) Ensure that each Certified Neighborhood Council's book of accounts shall be open to all Community Stakeholders of any Certified Neighborhood Council.
 - (iv) Establish a process by which each Certified Neighborhood Council member can review the Certified Neighborhood Council's book of accounts.
 - ➤ Each Certified Neighborhood Council's Governing Body shall include an officer named the Treasurer, whose duties shall include maintaining the Neighborhood Council's book of accounts, as prescribed by DONE, and submitting account statements to DONE no less than once and no more than twice during each fiscal year, the date(s) of which shall be prescribed by DONE. Refusal to submit accounting information as required by DONE shall be grounds for consideration of de-certification (as defined in Article VI, Section 5 of this Plan).

Ethics

(e) Each Certified Neighborhood Council shall be subject to any or all applicable sections of the City of Los Angeles Governmental Ethics Ordinance (Los Angeles Municipal Code Section 49.5.1). All applicable laws of local, state, and federal government shall be the minimum ethical standard for a Certified Neighborhood Council, its Governing Body, and Community Stakeholders.

Contacts

(f) Every application shall include contact information for no less than three and no more than five people who shall act as official contacts between the applicants and DONE until the proposed Neighborhood Council is certified.

Article IV

Certification Process

- 1. DONE staff shall evaluate a certification application to determine whether the application meets all of the criteria set out in Article III, Section 2, "Components of a Certification Application."
- 2. Once a certification application is submitted to DONE, the application shall be held by DONE for a period of 20 business days. During said period, DONE shall begin its evaluation of the application to ensure that it is complete.
 - (a) At the end of said 20 business-day period, if only one application is submitted that describes a specific set of boundaries for a proposed Neighborhood Council and if the application is complete according to DONE's evaluation, DONE shall:
 - (i) Forward the application, any accompanying information, and its recommendation to the Board of Neighborhood Commissioners (Commission) for consideration; and,
 - (ii) Notify the Neighborhood Council contacts (named in Article II, Section 2(f)), in writing, that the application has been forwarded to the Commission for its consideration.
 - (iii) If DONE fails to evaluate or forward the application (and any accompanying information, including its recommendation) to the Commission within said time period, DONE shall automatically forward the application without a recommendation to the Commission for consideration.
 - (b) If DONE receives two or more certification applications within said 20 business-day period that identify the same, similar, or overlapping proposed Neighborhood Council boundaries, DONE shall immediately notify, in writing, all contacts for all affected applicant groups in an effort to work with affected parties to produce a unified application. Applicants of the proposed Neighborhood Councils shall have 20 business days from the date notification is given by DONE to develop a unified application.
 - (i) If consensus is reached at any time within said 20 business-day period or at any time during an extended time period pursuant to Article IV, Section 2(b)(ii), said period shall be terminated and all applications shall be deemed received by DONE for evaluation. In the event that all affected applicant groups agree in writing to terminate, for any reason, the process of developing a unified application within the 20 business-day period, all applications, as originally submitted, shall be deemed received by DONE for evaluation. If no consensus is reached within or at the end of the 20 business-day period, the applications, as originally submitted, shall be deemed received by DONE for evaluation.

- (ii) The 20 business-day period described in (i) above may be extended by DONE if all certification applicants make such a request in writing within the time period in (i) above. If no consensus is reached within or at the end of the 20 business-day period, the applications, as originally submitted, shall be deemed received by DONE for evaluation.
- (iii) Once an application has been deemed received by DONE for evaluation through the processes described in (i) or (ii) above, DONE shall have ten business days to evaluate all applications as submitted. At the end of its ten business-day evaluation period, if DONE determines that all or some of the applications are complete according to DONE's evaluation, DONE shall forward the application, any accompanying information, and its recommendation to the Commission for consideration. If DONE fails to evaluate or forward the application (and any accompanying information, including its recommendation) to the Commission within said time period, DONE shall automatically forward the application without a recommendation to the Commission for consideration.
- (c) If, at any time during the processes described in this section, DONE determines that an application is incomplete, it shall return the application to the applicants along with a detailed list in writing of the missing components required in a certification application and suggestions on how to incorporate missing components. Applicants whose certification application was determined to be incomplete and returned by DONE may at any time re-submit the application after amending it to meet all the necessary criteria.
- **3.** DONE shall have ten business days, from the date that it forwards an application to the Commission for consideration, to prepare, translate (if necessary), and post public notices that a group has applied for certification according to the following:
 - (a) A copy of the notice shall be posted in at least five public, easily accessible places within the boundaries of the proposed Neighborhood Council. Examples of appropriate posting locations include, but are not limited to, libraries, police or fire stations, or DONE's Web site.
 - (b) Copies of the notice shall be posted for 15 business days.
 - (c) The notice shall be translated into all languages other than English that the City Clerk Election Division uses to produce sample ballot information if the proposed Neighborhood Council boundaries include communities where such languages are spoken. At the present time, a sample ballot is published in Chinese, English, Japanese, Korean, Spanish, Tagalog, and Vietnamese. This list of languages may change from time to time, and DONE shall be responsible for keeping current with said changes. DONE shall be responsible for translating the notice into any other language upon request.
- **4.** Within the same ten business-day time period referenced in Article IV, Section 3, DONE shall provide written notice to the applicant group of the date that the Commission will conduct its public hearing during which the applicant's certification application will be considered.

- **5.** Within ten business days after the expiration of the 15 business-day public notice period described in Article IV, Section 3(b), the Commission shall conduct a public hearing to take testimony from members of the public regarding the submitted certification application. The following shall apply:
 - (a) The public hearing shall be conducted as part of the Commission's next regularly scheduled meeting or as part of a special meeting if no regularly scheduled meeting falls within said ten business-day period.
 - (b) The Commission meeting shall be conducted within the boundaries of the proposed Neighborhood Council.
- **6.** During the meeting where the Commission conducts a public hearing for the purpose of considering a certification application, and at the close of the public comment period and after the Commission's deliberations, the Commission shall either approve or reject the certification application. With concurrence from the applicant, the Commission may defer its decision on a certification application until its next regularly scheduled meeting in order to receive additional information on a matter brought to its attention during its public hearing or to allow for more time to consider the application.
- 7. In a case where two or more certification applications have identified the same, similar, or overlapping Neighborhood Council boundaries, the Commission shall, based on all available information, make a final determination on how the final boundaries of each Neighborhood Council shall be drawn.
- **8.** If the Commission approves the application, the applicants shall be deemed certified and recognized as a Neighborhood Council in the City of Los Angeles.
- 9. If the Commission rejects the application, the applicants may, within five meeting days of the City Council during which the Council has convened in regular session, file an appeal with the City Council. The appeal will automatically be placed on the Council's next regular agenda for consideration. The Council may, by ten votes, sustain, reverse, or modify the Commission's decision.

Article V

Neighborhood Council Elections*

1. Compliance

Neighborhood Councils that choose to elect their Governing Body will have their elections administered pursuant to Los Angeles Administrative Code Section 20.36.

2. Governing Body Operations

Neighborhood Councils shall be empowered to allocate the Governing Body seats, determine voting rights, including the allocation of different voting roles to different categories of Community Stakeholders, and establish other voting procedures, consistent with the Charter, this Plan and the Regulations that implement this Plan, and any procedures issued by the City Clerk or DONE. Any Governing Body structures and voting systems adopted should not limit broad participation by Community Stakeholders of a Neighborhood Council.

3. Violations

A violation of the election procedures shall constitute a violation of this Plan and may subject a Neighborhood Council to the decertification procedures set forth in Article VI of this Plan, either upon submission of a complaint as outlined in Article VI, Section 4 of this Plan, or by DONE filing a report with the Commission asking it to consider decertification, after having first taken steps in an effort to achieve compliance with the election procedures.

^{*}Amended 09/17/13 per Council Resolution

Article VI

Certified Neighborhood Council Self Assessment, Boundary and Bylaw Adjustment, Complaints, and De-Certification

1. Self Assessment

Each Certified Neighborhood Council shall, with the assistance of DONE as requested, survey its Community Stakeholders at least once biennially, to assess whether their Certified Neighborhood Council has met applicable goals set forth in the Charter and Article I, "Goals and Objectives of the Neighborhood Council System". The form of the review shall be prescribed by DONE, and the results of the review shall be made public and posted on DONE's Web site. A copy of the review shall be sent to the affected Certified Neighborhood Council.

2. Boundary Adjustment

- (a) A Certified Neighborhood Council may petition the Commission to adjust its boundaries. All such petitions shall remain in accordance with Article III, Section 2. Reasons for boundary adjustment may include, but are not limited to:
 - (i) Including an uncertified adjacent community;
 - (ii) Reconfiguring based on population decrease or increase; or,
 - (iii) Increasing or reducing a Certified Neighborhood Council's size to increase effectiveness and efficiency.
- (b) Petitions shall be reviewed by DONE which shall forward the petition, any accompanying information, and its recommendation, within 15 business days of receipt, to the Commission for consideration at its next regularly scheduled meeting. If the Commission approves the petition, the Neighborhood Council boundary shall be deemed changed. If the Commission rejects the petition, the Governing Body of the petitioning Certified Neighborhood Council may take an action to, within five meeting days of the City Council during which the Council has convened in regular session, file an appeal with the City Council. The appeal will automatically be placed on the Council's next regular agenda for Council consideration. The Council may, by ten votes, sustain, reverse, or modify the Commission's decision.
- (c) The Commission shall have the authority to expand a Certified Neighborhood Council's boundary in order to incorporate an area of the City that has not formed a Certified Neighborhood Council into the boundary of another, adjoining Certified Neighborhood Council, provided that:
 - (i) The proposed area to be incorporated into a Certified Neighborhood Council's boundary lies between two or more Certified Neighborhood Councils;

- (ii) The area to be incorporated does not qualify for certification under the provisions of this Plan; and,
- (iii) Community Stakeholders of the area to be incorporated and of the affected Certified Neighborhood Council(s) agree to the proposed incorporation.
- (d) If incorporation of an area into an existing Certified Neighborhood Council's boundary is initiated by an entity other than the Commission, Community Stakeholders of the area to be incorporated and of the affected Certified Neighborhood Council(s) must agree to the proposed incorporation prior to consideration by the Commission. The following process shall apply.
 - (i) An Incorporation Petition, as prescribed by DONE, shall be completed in order to document the proposed incorporation. An Incorporation Petition shall be filed with DONE for evaluation
 - (a) DONE shall have 20 business days from receipt of the Incorporation Petition to evaluate the incorporation request. If an Incorporation Petition is complete according to DONE's evaluation, DONE shall forward the Incorporation Petition, any accompanying information, and its recommendation to the Commission for consideration. If DONE fails to evaluate or forward the Incorporation Petition (and any accompanying information, including its recommendation) to the Commission within said time period, the Incorporation Petition shall be automatically forwarded to the Commission for consideration.
 - (b) If, at any time during the processes described in this section, DONE determines that an Incorporation Petition is incomplete, it shall return the petition to the applicants along with a detailed list in writing of DONE's objections to the Incorporation Petition and suggestions on how to revise the Incorporation Petition. An Incorporation Petition returned by DONE may at any time be re-submitted after it is amended to meet all the necessary criteria cited by DONE.
 - (ii) DONE shall have ten business days, from the date that it forwards an Incorporation Petition to the Commission for consideration, to prepare, translate (if necessary), and post public notices that an Incorporation Petition has been received, according to the following:
 - (a) A copy of the notice shall be posted in at least five public, easily accessible places within the boundaries of the proposed incorporated area and all affected Neighborhood Councils. Examples of appropriate posting locations include, but are not limited to, libraries, police stations, fire stations, or DONE's Web site.
 - (b) Copies of the notice shall be posted for 15 business days.
 - (c) The notice shall be translated into all languages other than English that the City Clerk Election Division uses to produce sample ballot information if the

proposed Neighborhood Council boundaries include communities where such languages are spoken. At the present time, a sample ballot is published in Chinese, English, Japanese, Korean, Spanish, Tagalog, and Vietnamese. This list of languages may change from time to time, and DONE shall be responsible for keeping current with said changes. DONE shall be responsible for translating the notice into any other language upon request.

- (iii) Within the same ten business-day time period referenced in Article VI, Section 2(d)(ii), DONE shall provide written notice to the applicant group of the date that the Commission will conduct its public hearing during which the applicant's Incorporation Petition will be considered.
- (iv) Within ten business days after the expiration of the 15 business day public notice period described in Article VI, Section 2(d)(ii)(b), the Commission shall conduct a public hearing to take testimony from members of the public regarding the proposed incorporation. The following shall apply:
 - (a) The public hearing shall be conducted as part of the Commission's next regularly scheduled meeting or as part of a special meeting if no regularly scheduled meeting falls within said ten business-day period.
 - (b) The Commission meeting shall be conducted within the boundaries of the proposed incorporated area or within the boundaries of any of the affected Certified Neighborhood Councils.
- (v) During the meeting where the Commission conducts a public hearing for the purpose of considering an Incorporation Petition, and at the close of the public comment period and after the Commission's deliberations, the Commission shall either approve or reject the Incorporation Petition. With concurrence from the applicant, the Commission may defer its decision on an Incorporation Petition until its next regularly scheduled meeting in order to receive additional information on a matter brought to its attention during its public hearing or to allow for more time to consider the Incorporation Petition.
- (vi) If the Commission approves the Incorporation Petition, the proposed area shall be incorporated into the specified Certified Neighborhood Council named in the Incorporation Petition. If the Commission rejects the Incorporation Petition, the applicants may, within five meeting days of the City Council during which the Council has convened in regular session, file an appeal with the City Council. The appeal will automatically be placed on the Council's next regular agenda for Council consideration. The Council may, by ten votes, sustain, reverse, or modify the Commission's decision.

3. Bylaw Adjustment

A Certified Neighborhood Council that wishes to change or adjust its bylaws shall complete an Application to Change or Adjust Bylaws, as prescribed by DONE, and submit the application to DONE for evaluation. DONE shall have ten business days from receipt of the application to complete its evaluation.

- (a) If DONE determines that the application is incomplete, it shall return the application to the Governing Body of the affected Certified Neighborhood Council along with a detailed list in writing of missing or incomplete items in the application and suggestions on how to complete the application successfully. An application returned by DONE may at any time be re-submitted after it is adjusted to meet all the necessary criteria cited by DONE.
- (b) If the application is complete and consistent with the principles governing a Certified Neighborhood Council's purpose or operations according to DONE's evaluation, DONE shall file the application and the change in the affected Certified Neighborhood Council's bylaws shall be deemed approved. Upon filing the change, DONE shall provide written notice to the affected Certified Neighborhood Council that the change in its bylaws was duly recorded with DONE.
- (c) Changes to a Certified Neighborhood Council's Governing Body structure shall be approved by the Commission. In addition, if DONE determines that the changed bylaws are inconsistent with the principles governing a Certified Neighborhood Council's purpose or operations, DONE shall forward an evaluation to the Commission for its review. The Commission, at its next regularly scheduled meeting, shall approve or reject the change in bylaws application. If the Commission approves the change of bylaws, the Certified Neighborhood Council's proposed bylaws shall be deemed approved and become effective immediately. If the Commission rejects the change of bylaws application, the Certified Neighborhood Council's bylaws shall remain as adopted prior to the filing of the application. *

4. Complaints Against Certified Neighborhood Councils

Complaints against a Certified Neighborhood Council of any nature shall be filed with DONE, on a form prescribed by DONE. A copy of the complaint shall be delivered by DONE to the affected Certified Neighborhood Council against which the complaint is made within five business days of receipt of the complaint. Exhaustive efforts to remedy all complaints shall be taken by DONE. In the case where a complaint is in regards to a violation of this Plan and a remedy cannot be reached, the process prescribed in Article VI, Section 5 shall be followed.

5. Involuntary De-Certification of a Certified Neighborhood Council

Before initiating de-certification of a Certified Neighborhood Council, DONE shall take all steps available to remedy a violation of the Plan. If DONE finds that efforts to comply with a proposed remedy have failed, the General Manager of DONE shall initiate a process of de-certification.

^{*}Amended 2/20/09 per Council Resolution

- (a) DONE shall complete an Application to De-Certify a Certified Neighborhood Council, as prescribed by DONE, and immediately transmit a copy of the application to both the Commission, for consideration at its next regularly scheduled meeting, and to the affected Certified Neighborhood Council.
- (b) DONE shall, immediately after transmitting copies of the application to the Commission and affected Certified Neighborhood Council, post public notices that a de-certification application has been filed with the Commission according to the following:
 - (i) A copy of the notice shall be posted in at least five public, easily accessible places within the boundaries of the affected Neighborhood Council, and shall post the notice on DONE's Web site. Examples of appropriate posting locations include, but are not limited to, libraries, police stations, or fire stations.
 - (ii) Copies of the notice shall be posted for 15 business days.
 - (iii) The notice shall be translated into all languages other than English that the City Clerk Election Division uses to produce sample ballot information if the proposed Neighborhood Council boundaries include communities where such languages are spoken. At the present time, a sample ballot is published in Chinese, English, Japanese, Korean, Spanish, Tagalog, and Vietnamese. This list of languages may change from time to time, and DONE shall be responsible for keeping current with said changes. DONE shall be responsible for translating the notice into any other language upon request.
- (c) Within ten business days after the expiration of the 15 business day public notice period described in Article VI, Section 5(b)(ii), the Commission shall conduct a public hearing to take testimony from members of the public regarding the proposed decertification application. The following shall apply:
 - (i) The public hearing shall be conducted as part of the Commission's next regularly scheduled meeting or as part of a special meeting if no regularly scheduled meeting falls within said ten business-day period.
 - (ii) The Commission meeting shall be conducted within the boundaries of the affected Certified Neighborhood Council proposed for de-certification.
- (d) During the meeting where the Commission conducts a public hearing for the purpose of considering a de-certification application, and at the close of the public comment period and after the Commission's deliberations, the Commission shall either approve or reject the de-certification application. With concurrence from the affected Certified Neighborhood Council, the Commission may defer its decision on the application until its next regularly scheduled meeting in order to receive additional information on a matter brought to its attention during its public hearing or to allow for more time to consider the application.

- (e) If the Commission approves the application, the affected Certified Neighborhood Council shall be deemed de-certified and will no longer be recognized as a Certified Neighborhood Council in the City of Los Angeles.
- (f) If the Commission approves the application, any members of the Governing Body of the affected Certified Neighborhood Council may, within five meeting days of the City Council during which the Council has convened in regular session, file an appeal with the City Council. The appeal will automatically be placed on the Council's next regular agenda for Council consideration. The Council may, by ten votes, sustain, reverse, or modify the Commission's decision.
- (g) A Certified Neighborhood Council shall return all City-owned resources, including unexpended City-appropriated funds, to the City immediately upon its decertification.

6. Voluntary De-Certification of a Certified Neighborhood Council

A Certified Neighborhood Council may petition the Commission to be de-certified as a Certified Neighborhood Council in the City of Los Angeles.

- (a) An Application to De-Certify a Certified Neighborhood Council, as prescribed by DONE, shall be completed and signed by at least 3/4 of the Governing Body of the affected Certified Neighborhood Council seeking de-certification. The application shall be filed with DONE.
- (b) DONE shall have ten business days, from the date of receipt of an application, to prepare, translate (if necessary), and post public notices that a group has applied for de-certification according to the following:
 - (i) A copy of the notice shall be posted in at least five public, easily accessible places within the boundaries of the affected Neighborhood Council, and shall post the notice on DONE's Web site. Examples of appropriate posting locations include, but are not limited to, libraries, police stations, or fire stations.
 - (ii) Copies of the notice shall be posted for 15 business days.
 - (iii) The notice shall be translated into all languages other than English that the City Clerk Election Division uses to produce sample ballot information if the proposed Neighborhood Council boundaries include communities where such languages are spoken. At the present time, a sample ballot is published in Chinese, English, Japanese, Korean, Spanish, Tagalog, and Vietnamese. This list of languages may change from time to time, and DONE shall be responsible for keeping current with said changes. DONE shall be responsible for translating the notice into any other language upon request.
- (c) Within ten business days after the expiration of the 15 business day public notice period described in Article VI, Section 6(b)(ii), the Commission shall conduct a public hearing to take testimony from members of the public regarding the proposed decertification application. The following shall apply:

- (i) The public hearing shall be conducted as part of the Commission's next regularly scheduled meeting or as part of a special meeting if no regularly scheduled meeting falls within said ten business-day period.
- (ii) The Commission meeting shall be conducted within the boundaries of the affected Certified Neighborhood Council proposed for de-certification.
- (d) During the meeting where the Commission conducts a public hearing for the purpose of considering a de-certification application, and at the close of the public comment period and after the Commission's deliberations, the Commission shall either approve or reject the de-certification application. The Commission may defer its decision on the application until its next regularly scheduled meeting in order to receive additional information on a matter brought to its attention during its public hearing or to allow for more time to consider the application.
- (e) If the Commission approves the application, the affected Certified Neighborhood Council shall be deemed de-certified and will be no longer be recognized as a Certified Neighborhood Council in the City of Los Angeles.
- (f) If the Commission rejects the de-certification application, Community Stakeholders of the affected Certified Neighborhood Council, who have regularly attended the affected Certified Neighborhood Council's meetings, that has filed for de-certification and who disagree with the Commission's decision may appeal. The applicants may, within five meeting days of the City Council during which the Council has convened in regular session, file an appeal with the City Council. The appeal will automatically be placed on the Council's next regular agenda for Council consideration. The Council may, by ten votes, sustain, reverse, or modify the Commission's decision.
- (g) A Certified Neighborhood Council shall return all City-owned resources, including unexpended City-appropriated funds, to the City immediately upon its decertification.

Article VII

Responsibilities of the Department of Neighborhood Empowerment

At a minimum, the Department of Neighborhood Empowerment shall:

- **1.** Implement and oversee compliance with City ordinances and regulations relating to a Citywide system of Neighborhood Councils.
- **2.** Assist neighborhoods and Certified Neighborhood Councils with public and civic education, outreach, and training with an emphasis given to areas that have traditionally low rates of participation in government.
- **3.** Assist applicants and neighborhoods with preparation of all petitions and forms referenced in this Plan, identify suitable Neighborhood Council boundaries, and organize Neighborhood Councils in accordance with this Plan.
- **4.** Help coordinate meetings and facilitate communication among Certified Neighborhood Councils that request assistance.
- **5.** Help coordinate, arrange, and convene the biannual Congress of Neighborhood Councils meetings.
- **6.** Promote and facilitate open communication among City agencies and Certified Neighborhood Councils, and provide education, guidance, and assistance in developing strategies for providing comments and feedback to the City Council and its committees and City boards and commissions.
- **7.** Assist Certified Neighborhood Councils with the selection of their Governing Body and conduct the City's portion of the outreach effort necessary to mobilize stakeholders to vote in Neighborhood Council elections. *
- 8. Provide operational support to and facilitate the sharing of resources among Certified Neighborhood Councils, including, but not limited to, meeting and office space, office equipment, and mail and communications in order to communicate among constituents, Certified Neighborhood Councils, and government officials.
- **9.** Create and maintain a database of information about Certified Neighborhood Councils, including, among other information, names and contact information that will be available for public use.
- **10.** Act as an information clearinghouse and resource to Certified Neighborhood Councils.
- 11. Create and maintain an Early Notification System as prescribed in this Plan.
- **12.** Assure equal opportunity to form and develop Certified Neighborhood Councils. DONE shall assist groups and Community Stakeholders seeking Certified Neighborhood Council status by:

^{*} Amended 02/20/08 per Council Resolution

- (a) Helping understand the processes and procedures for establishing a Certified Neighborhood Council.
- (b) Assisting with completion of certification application.
- (c) Providing assistance to areas with traditionally low rates of participation in government.
- (d) Mitigating barriers to participation, such as the need for translation and childcare services.
- 13. Review and evaluate the Citywide system of Neighborhood Councils. As part of its annual report, DONE shall provide information on the size, geographic scope, and economic and demographic conditions of areas of the City in which Certified Neighborhood Councils have and have not been certified.
- **14.** Report quarterly, commencing from the adoption date of this Plan, to the appropriate Council Committee on the Department's certification efforts, and on strategies and recommendations for certifying areas with traditionally low rates of civic participation in government to ensure participation by all the City's neighborhoods in the certification process.
- **15.** Arrange training for Neighborhood Councils' officers and staff.
- **16.** Provide adequate levels of staffing, with consideration to resource availability, for each Certified Neighborhood Council.

Article VIII

Early Notification System

DONE shall create and maintain an Early Notification System (ENS) in accordance with City Charter Section 907. The ENS is designed to supplement current state and local laws regarding public notification. The ENS will operate according to the following:

- 1. Subject to all other provisions of this Plan, all Certified Neighborhood Councils shall be provided access to a computer and to the Internet. DONE shall provide technical training on the use of a computer to each Certified Neighborhood Council.
- **2.** An ENS Web site shall be created and maintained where information regarding the City Council and its committees and City boards and commissions will be available.
- 3. In addition to accessing information through the ENS Web site, Certified Neighborhood Councils will be able to subscribe to services whereby they will receive electronic mail notifications regarding updates to the information on the ENS Web site.
- **4.** Information on the ENS Web site shall be provided as soon as is practical so that Certified Neighborhood Councils are afforded an opportunity to prepare and provide comments before decisions are made.
- 5. The City shall provide each Certified Neighborhood Council with an electronic mail (e-mail) address. The use of this e-mail address shall be limited strictly to official Certified Neighborhood Council business, such as communicating with Neighborhood Council Community Stakeholders about meeting times and places and communicating with the City on matters of importance to the Certified Neighborhood Council. Each Certified Neighborhood Council shall be required to use the City's officially designated e-mail address to correspond with City departments and agencies if the Certified Neighborhood Council expects their correspondence to be entered into the public record.
- 6. Certified Neighborhood Councils shall be allowed to provide comment and feedback electronically to the City Council, its committees, and City boards and commissions via the ENS. Comments from a Certified Neighborhood Council's officially designated e-mail address (as described in Article VIII, Section 5) shall be printed and placed into the public record.
- 7. DONE may coordinate additional information for distribution through the ENS from public or private entities as they directly relate to Certified Neighborhood Councils and issues affecting Certified Neighborhood Councils, provided that they are subject to all regulations and requirements of this Plan.

Article IX

Funding*

- 1. At the beginning of each fiscal year, the Mayor and Council shall appropriate money for Certified Neighborhood Councils for costs related to the functions, operations, and duties of being a Certified Neighborhood Council. Such functions, operations, and duties include, but are not limited to, meeting and office space, office equipment, computers, supplies, and communications, such as costs associated with newsletters, postage, or printing written materials. At the discretion of each neighborhood council, and as approved by the DONE, all or part of the money so appropriated may be used for neighborhood improvement projects.
- 2. Any money which the Mayor and Council appropriate as grant funds each fiscal year shall be made available to Certified Neighborhood Councils for various neighborhood improvement projects. In order to be eligible for grant money, a Certified Neighborhood Council shall submit an application to DONE, as prescribed by DONE. Grant money shall be awarded to Certified Neighborhood Councils based on criteria and procedures established by DONE and the Commission. Each Certified Neighborhood Council that receives grant money shall be required to account for its expenditures pursuant to this Plan (Article III, Section 2(d)).

^{*}Amended 11/08/02 per Council Resolution

Article X *

Financial Accountability and Technical Assistance Policy

1. Preliminary Review of Expenditures

The DONE may make a preliminary review of any expenditure or financial transactions contemplated by a Certified Neighborhood Council to ensure that it is acceptable, appropriate, and comports with DONE guidelines and laws that pertain. Where a Certified Neighborhood Council is unsure whether a proposed expenditure is appropriate, it shall make a written request for guidance from the DONE on the matter before any commitment to expend funds is made or the transaction is completed.

2. Expenditure Oversight

The DONE may monitor and review any and all financial transactions made by a Certified Neighborhood Council as follows:

- (a) Computer based [on-line] review of any information concerning Commercial Prepaid Card transactions, negotiable instruments, or any other applicable method by which Certified Neighborhood Councils may access City funds and make financial transactions.
- (b) On-site review of any Certified Neighborhood Council's accounts, statements, books, records, receipts, invoices, or any other document that evidences any financial transaction.
- (c) A DONE in-house review of any Certified Neighborhood Council's accounts and business records prior to releasing funds to the Certified Neighborhood Council for the conduct of its business.

3. Admonition

When the DONE determines that a Certified Neighborhood Council has failed to account for its funds or has misused its funds, then the DONE may issue a Fiscal Responsibility Admonition Letter informing the Certified Neighborhood Council of the problem. Where the DONE deems it necessary, the Financial Responsibility Admonition Letter may request as follows:

- (a) That the Certified Neighborhood Council take specific corrective action to comply with Generally Accepted Accounting Principles or those prescribed by the DONE under the Neighborhood Council Funding Program.
- (b) That the Treasurer, or any other Certified Neighborhood Council representative, shall meet with the DONE staff to discuss accounting practices or any other financial matter involving the Certified Neighborhood Council and, thereafter, follow a remedial plan as prescribed by the DONE.

4. Corrective Action and Remedial Measures

If the DONE determines that a Certified Neighborhood Council has misused its funds, then the DONE may impose corrective action or remedial measures on the Certified Neighborhood Council. The DONE's decision to impose corrective action or remedial measures, or both, is final; except where de-certification is initiated as set forth in Section 22.810.1(e)(2) of the Los Angeles Administrative Code.

5. Corrective Action

As outlined in the DONE's Fiscal Responsibility Admonition Letter, the corrective action prescribed by the DONE may include, but is not limited to, the following:

- (a) Denying funding requests for payment on purchases or transactions deemed unacceptable or a misuse of public funds.
- (b) Suspending all access to and the use of Certified Neighborhood Council funds, including Commercial Prepaid Cards or City issued demand warrants.
- (c) Reducing funding to a Certified Neighborhood Council in amounts that equal or approximate the amount necessary to compensate for, or remedy, any unacceptable purchase or financial transaction, or to redeem misused public funds; including any administrative or incidental costs associated therewith.

6. Remedial Measures

The DONE is authorized to impose remedial measures on any Certified Neighborhood Council when the Department determines that an unacceptable purchase, financial transaction, or misuse of public funds has occurred, or may occur, in violation of accounting principles, DONE guidelines, or laws that pertain. Any remedial measures imposed by DONE will be identified in a Fiscal Responsibility Admonition Letter and may include any combination of corrective actions and remedial measures that the DONE deems appropriate under the circumstances.

In an effort to insure that the Certified Neighborhood Councils operate in a fiscally responsible manner and to support the financial integrity of the Neighborhood Council Funding Program, the Department may impose the following remedial measures:

- (a) Require mandatory supplemental training for any treasurer or fiscal agent of a Governing Body or, if necessary, the entire Governing Body of the Certified Neighborhood Council.
- (b) Require that the Certified Neighborhood Council develop and commit to a written remedial action plan within 45 days from the date when the DONE mails a Fiscal Responsibility Admonition Letter imposing such a measure.

- (c) Require that the Certified Neighborhood Council be placed on formal probation when the DONE determines that a Certified Neighborhood Council has been repeatedly deficient in its accounting practices or has consistently mishandled or misused its funds.
- (d) Require that the Certified Neighborhood Council immediately relinquish all access to, and tender all control of, its business records and funds to the DONE. The DONE may impose this measure when it determines that the Certified Neighborhood Council has not complied with the corrective or remedial measures outlined in a previous Financial Admonition Letter, the prospect of rectifying the problem is unlikely, or the circumstances require immediate action to safeguard public funds.
- (e) Refer the matter to the Commission with a recommendation that the Certified Neighborhood Council be involuntary decertified as set forth in section 22.810.1(e) (2) of the Los Angeles Administrative Code. DONE may recommend decertification when it determines that a Certified Neighborhood Council is incapable of handling its accounts, its Governing Body refuses to follow the advice, corrective action, or remedial measures outlined by the DONE, or the circumstances require immediate action to safeguard public funds.
- (f) Refer the matter to the appropriate department, commission, or law enforcement agency when the Department has reasonable cause to believe that someone has engaged in unlawful or criminal activity involving a Certified Neighborhood Council's public funds.

^{*} Added 10/25/06 per Council Resolution

Article XI *

Neighborhood Purposes Grant Program

Neighborhood councils that desire to make a grant of their public funds to a nonprofit corporation (excluding religious institutions) organized under 26 United States Code (U.S.C). section 501(c)(3) or to a public school, as authorized by Los Angeles Administrative Code sections 22.801(p) and 22.817, may make a final grant prior to making a final grant commitment and disburse funds to any grantee upon completion of the following:

1. Governing Body Approval

Any grant contemplated by a Certified Neighborhood Council shall be approved by action of the Certified Neighborhood Council's Governing Body and shall be reflected in a written motion or resolution adopted by that body containing, in substance, the following details:

- (a) The precise legal name of the recipient or grantee.
- (b) The dollar amount of the grant.
- (c) A description of the public purpose served by the grant.

2. Administrative Processing

After a Certified Neighborhood Council has approved a grant, evidenced by a written motion or resolution, a member of the Governing Body shall submit the following to DONE's administrative office within 45 days:

- (a) A written motion or resolution adopted by the Governing Body evidencing the body's intention to make a grant.
- (b) A Neighborhood Purposes Grant Program Application, as prescribed by DONE, which contains the information set forth in Section 1(a)-(c), above.
- (c) Any additional information requested by DONE for it to evaluate the terms and legality of the proposed grant and a written grant agreement pursuant to the City's contracting procedures.

3. Grant Application Evaluation

After receiving the Neighborhood Purposes Grant Program Application and documentation as set forth in Section 2 above, DONE shall forthwith evaluate the Certified Neighborhood Council's proposed grant to determine as follows:

(a) Whether the proposed award or grant is being made to a nonprofit organization (excluding religious institutions) organized under 26 U.S.C. section 501(c)(3), or to a public school.

(b) Whether the proposed grant is for an identifiable public purpose, is consistent with the allowable expenditures under the Neighborhood Council Funding Program, and comports with all laws.

4. Grant Application Determination

- (a) A decision by DONE to approve or deny a Certified Neighborhood Council's proposed grant is final.
- (b) DONE shall keep a record of all grants and, on behalf of the Certified Neighborhood Councils, prepare written contracts for all grants exceeding five thousand dollars (\$5,000).
- (c) The Commission shall approve all proposed grant contracts that exceed (\$20,000) twenty-thousand dollars.
- (d) Each grant application approved by DONE shall be treated as a separate neighborhood purposes grant.
- (e) DONE shall ensure that the grant application process is transparent and that the identity of each grantee is retained and posted on the DONE website.

^{*}Added 08/06/08 per Council Resolution

Print

Los Angeles Charter and Administrative Code

ARTICLE IX DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT

Section

- 900 Purpose.
- 901 Department of Neighborhood Empowerment.
- 902 Board of Neighborhood Commissioners.
- 903 General Manager.
- 904 Development of the Neighborhood Council Plan.
- 905 Implementation of the Plan.
- 906 Certification of Neighborhood Councils.
- 907 Early Warning System.
- 908 Powers of Neighborhood Councils.
- 909 Annual City Budget Priorities.
- 910 Monitoring of City Services.
- 911 Appropriation.
- 912 Review.
- 913 Transfer of Powers.
- 914 Effect of Ordinances.

Sec. 900. Purpose.

To promote more citizen participation in government and make government more responsive to local needs, a citywide system of neighborhood councils, and a Department of Neighborhood Empowerment is created. Neighborhood councils shall include representatives of the many diverse interests in communities and shall have an advisory role on issues of concern to the neighborhood.

Sec. 901. Department of Neighborhood Empowerment.

The Department of Neighborhood Empowerment shall have the duties and responsibilities set forth in this Article and elsewhere in the Charter to implement and oversee the ordinances and regulations creating the system of neighborhood councils enacted pursuant to Section 905. Duties and responsibilities shall include:

- (a) prepare a plan for the creation of a system of neighborhood councils to ensure that every part of the City is within the boundary of a neighborhood council, and has an opportunity to form a neighborhood council (Plan);
- (b) assist neighborhoods in preparing petitions for recognition or certification, identifying boundaries that do not divide communities, and organizing themselves, in accordance with the Plan;
- (c) arrange Congress of Neighborhood meetings if requested to do so by recognized neighborhood councils;
 - (d) assist neighborhood councils with the election or selection of their officers;
 - (e) arrange training for neighborhood councils' officers and staff;

- (f) assist neighborhood councils to share resources, including offices, equipment, and other forms of support for them to communicate with constituents, other neighborhood councils and with government officials; and
 - (g) perform other duties as provided by ordinance.

Sec. 902. Board of Neighborhood Commissioners.

- (a) There shall be a board of seven commissioners to be known as the Board of Neighborhood Commissioners (board). Commissioners shall be appointed by the Mayor, and shall be from diverse geographic areas, as further specified by ordinance. Appointment and removal of commissioners shall otherwise be in accordance with Section 502.
- (b) The board shall be responsible for policy setting and policy oversight, including the approval of contracts and leases and the promulgation of rules and regulations, but shall not be responsible for day-to-day management.
 - (c) The board shall operate in accordance with Sections 503 through 508 and 510 of the Charter.

Sec. 903. General Manager.

- (a) There shall be a general manager of the Department of Neighborhood Empowerment who shall be appointed by the Mayor, subject to confirmation by the Council, and may be removed as provided in Section 508.
 - (b) The general manager shall have those powers and duties set forth in Section 510.
- (c) The general manager shall appoint, discharge and prescribe the duties of staff, consistent with the civil service provisions of the Charter.

Sec. 904. Development of the Neighborhood Council Plan.

The Department of Neighborhood Empowerment shall develop a Plan for a citywide system of neighborhood councils, in conformance with the following:

- (a) The Department of Neighborhood Empowerment shall seek public input in the formulation of the Plan.
- (b) The Plan shall contain a statement of goals, policies and objectives of the Neighborhood Council system, and shall contain specific regulations, in draft ordinance format (Regulations) which, if adopted by ordinance, would be sufficient to implement the Plan.
- (c) The Regulations shall establish the method by which boundaries of neighborhood councils will be determined. The system for determining boundaries shall maintain neighborhood boundaries to the maximum extent feasible, and may consider community planning district boundaries where appropriate.
- (d) The Regulations must ensure that all areas of the City are given an equal opportunity to form neighborhood councils.

- (e) The Regulations shall establish the procedure and criteria for recognition or certification of neighborhood councils.
- (f) The Regulations shall not restrict the method by which the members of a neighborhood council are chosen, if the process otherwise satisfies the requirements of this Article.
- (g) The Regulations shall require that neighborhood councils adopt fair and open procedures for the conduct of their business.
- (h) The Mayor and Council shall provide for the creation of the Department of Neighborhood Empowerment and appointment of the general manager within 120 days of the effective date of this Article.

Sec. 905. Implementation of the Plan.

The Department of Neighborhood Empowerment shall complete development of the Plan and present the Plan and all necessary Regulations for a system of neighborhood councils to the Council and Mayor within one year of the establishment of the department and commission. The Council shall consider the Regulations, and within six months after presentation of the Plan to Council may adopt ordinances to implement the Regulations as proposed, or as modified by the Council consistent with the requirements of the Plan set forth in Section 904. If implementing ordinances are not adopted within this time period, the Regulations shall become effective, and to the extent not inconsistent with law shall be binding upon all City departments and offices.

Sec. 906. Certification of Neighborhood Councils.

- (a) **By-laws.** Each neighborhood council seeking official certification or recognition from the City shall submit an organization plan and by-laws to the Department of Neighborhood Empowerment showing, at a minimum:
 - (1) the method by which their officers are chosen;
 - (2) neighborhood council membership will be open to everyone who lives, works or owns property in the area (stakeholders);
 - (3) assurances that the members of the neighborhood council will reflect the diverse interests within their area;
 - (4) a system through which the neighborhood council will communicate with stakeholders on a regular basis;
 - (5) a system for financial accountability of its funds; and
 - (6) guarantees that all meetings will be open and public, and permit, to the extent feasible, every stakeholder to participate in the conduct of business, deliberation and decision-making.
- (b) **Petitioning for Certification and Approval.** Neighborhood councils may petition for certification or recognition in accordance with rules and procedures set forth in the Plan.

Sec. 907. Early Warning System.

The Regulations shall establish procedures for receiving input from neighborhood councils prior to decisions by the City Council, City Council Committees and boards and commissions. The procedures shall include, but need not be limited to, notice to neighborhood councils as soon as practical, and a reasonable opportunity to provide input before decisions are made. Notices to be provided include matters to be considered by the City Council, City Council Committees, and City boards or commissions.

Sec. 908. Powers of Neighborhood Councils.

Subject to applicable law, the City Council may delegate its authority to neighborhood councils to hold public hearings prior to the City Council making a decision on a matter of local concern.

Sec. 909. Annual City Budget Priorities.

Each neighborhood council may present to the Mayor and Council an annual list of priorities for the City budget. The Mayor shall inform certified neighborhood councils of the deadline for submission so that the input may be considered in a timely fashion.

Sec. 910. Monitoring of City Services.

Neighborhood councils shall monitor the delivery of City services in their respective areas and have periodic meetings with responsible officials of City departments, subject to their reasonable availability.

Sec. 911. Appropriation.

The Mayor and Council shall appropriate funds for the Department of Neighborhood Empowerment and for the startup and functioning of neighborhood councils for the first two years after the effective date of this Article. Funds shall be appropriated into a special fund to be established by ordinance. The Mayor and Council shall thereafter appropriate funds for the department and neighborhood councils at least one year in advance of each subsequent fiscal year.

Sec. 912. Review.

The Mayor and Council shall appoint a commission as prescribed by ordinance to evaluate the provisions of this Article, the Regulations adopted pursuant to this Article, and the efficacy of the system of neighborhood councils no later than seven years after the adoption of the Charter. The commission shall make recommendations to the Council regarding changes to the Charter or the Regulations, as it deems appropriate.

Sec. 913. Transfer of Powers.

Notwithstanding any other provision of the Charter, the Mayor and Council shall not transfer powers, duties or functions of the Department of Neighborhood Empowerment to any other department, office or agency pursuant to Section 514 during the first five years after implementation of the Plan pursuant to Section 905.

Sec. 914. Effect of Ordinances.

The Council may adopt ordinances concerning neighborhood councils consistent with requirements for the Plan set forth in Section 904 at any time, which ordinances shall supersede any inconsistent Regulations that have become effective pursuant to Section 905.

CHAPTER 28 THE DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT

Article

- 1 Duties of the Department
- 2 Control and Management
- 3 Neighborhood Councils

ARTICLE 1 DUTIES OF THE DEPARTMENT

Section

22.800 Purposes.

22.801 Duties of the Department.

22.801.1 Acceptance of Donations and Gifts by the Department.

Sec. 22.800. Purposes.

There shall be a department in the City government known as the Department of Neighborhood Empowerment which shall be referred to in this chapter as the "Department". This Department shall be charged with the goal of promoting increased public participation in government and working to make government more responsive to local needs. The Department shall ensure that every part of the City is within the boundaries of a neighborhood council. The Department shall provide equal opportunity for all by enabling neighborhood groups to form neighborhood councils. The Department shall facilitate the delivery of City services to the neighborhoods by helping to identify and coordinate the needs of the communities with the responsibilities of the City departments by coordinating and involving the relevant City staff in integrated problem-solving with the neighborhood councils.

SECTION HISTORY

Chapter, Article and Section Added by Ord. No. 172,728, Eff. 8-30-99.

Sec. 22.801. Duties of the Department.

The Department shall:

(a) implement and oversee compliance with City ordinances and regulations relating to a system of neighborhood councils;

- (b) prepare a Neighborhood Council Plan (Plan) for the creation of a system of neighborhood councils to ensure that every part of the City is within the boundary of a neighborhood council and that each neighborhood has an opportunity to form a neighborhood council, in accordance with Section 22.809;
 - (c) determine methods for certification of neighborhood councils;
- (d) assist neighborhoods in preparing petitions for recognition or certification, identifying boundaries that minimize the division of communities and organizing themselves in accordance with the Plan;
- (e) help neighborhood councils to meet together on a citywide basis and facilitate these meetings if and when requested to do so by recognized neighborhood councils;
- (f) Assist neighborhood councils with the selection of their governing body and conduct the City's portion of the outreach effort necessary to mobilize stakeholders to vote in neighborhood council elections.
- (g) assist neighborhood councils to share resources, including offices, equipment and other forms of support and to communicate with constituents, other neighborhood councils and with government officials;
- (h) arrange training for department staff and neighborhood councils' officers and staff, such as training in leadership, cultural awareness, dispute mediation, civics, communications, equipment utilization and any other training necessary to achieve the goals set forth in Section 22.809;
- (i) arrange community empowerment education for top level City officials, including elected officials and commissioners;
- (j) with the assistance of the Information Technology Agency, create and maintain an internal and external information and communication network available for public use to:
 - (1) Provide access to all current rules, regulations, and election/selection/voting and any other procedures adopted by the Department of Neighborhood Empowerment;
 - (2) Provide access to all historic rules, regulations, and election/selection/voting and any other procedures adopted by the Department of Neighborhood Empowerment that are no longer in force;
 - (3) Provide access to all current non-confidential legal opinions by the City Attorney on matters relating to the Department of Neighborhood Empowerment, Board of Neighborhood Commissioners, Department rules or regulations, and Department procedures for elections/selections/voting and any other matter;
 - (4) Provide access to all historical non-confidential legal opinions by the City Attorney on matters relating to the Department of Neighborhood Empowerment, Board of Neighborhood Commissioners, Department rules or regulations, and Department procedures for elections/selections/voting and any other matter that are no longer in force; and
 - (5) Provide a Citywide database of existing neighborhood organizations and similar information, sortable by areas and individual Neighborhood Councils.
- (k) help coordinate the relationships between existing and newly created advisory committees and neighborhood councils;

- (1) perform other duties as provided by ordinance;
- (m) ensure that notification required in Section 22.809(f) is provided to the neighborhood councils along with sufficient committee or staff reports on the matters of interest to facilitate meaningful participation; and
- (n) facilitate citywide meetings to be held, on at least a semi-annual basis, of representatives of all neighborhood councils.
- (o) ensure that neighborhood councils have adequate office and meeting space to conduct their business by facilitating the shared utilization of City owned or leased space, coordinating the acceptance and use of donated space by private donors, as well as securing suitable office and meeting space on behalf of certified neighborhood councils. The City Clerk shall have the authority to execute standard short-term rental and lease agreements with a duration of one year or less for the purpose of fulfilling its obligations under this subsection, pursuant to guidelines established by the City Clerk.

SECTION HISTORY

Added by Ord. No. 172,728, Eff. 8-30-99.

Amended by: Ord. No. 175,937, Eff. 6-1-04; Subsec. (f), Ord. No. 179,680, Eff. 4-15-08; Subsec. (p) added, Ord. No. 180,155, Eff. 9-26-08; Subsec. (j), Ord. No. 183,488, Eff. 5-3-15; Subsec. (o) amended and Subsec. (p) deleted, Ord. No. 184,835, Eff. 5-1-17.

Sec. 22.801.1. Acceptance of Donations and Gifts by the Department.

A Neighborhood Council may accept gifts as described in Section 22.814 of this Code or request that the Department or City Council accept the gift on its behalf. The Department, under the limited circumstances set forth below, shall have the power and authority to accept gifts on behalf of the City of Los Angeles that relate to the Department's programs and activities, that relate to any or all of the Neighborhood Councils, or that relate to the Citywide system of Neighborhood Councils.

If the Department is acting to accept a gift as authorized under this section, then the General Manager of the Department, or the General Manager's designee, shall be the agent authorized to accept gifts.

Gifts may include any item, monetary or non-monetary, tangible or intangible, that is contributed, provided, given, transferred, donated, bequeathed or devised to the City. The authority to accept gifts includes the authority to reject or rescind the acceptance of any gift at any time. Nothing in this section requires the acceptance or retention of any gift.

- (a) **Limitations on Acceptance of Gifts.** With the exception of a gift that is a leasehold interest for office, storage or meeting space, as further described in Subsection (b) below, no gift may be accepted by the Department that exceeds the value of \$10,000 and any gift in excess of this amount shall be submitted to City Council for acceptance or rejection.
- (b) **Donated Office Space or Meeting Space.** The Neighborhood Councils shall not have any authority to accept any interest in real property, including any fee simple interest or any leasehold interest. However, a Neighborhood Council may request that the Department, which is hereby granted the authority, accept a lease on its behalf as long as the gift is a leasehold interest for office, storage, or meeting space, the lease does not exceed a one-year term, and the leasehold interest is valued less than \$20,000 per year or \$1,666.66 per month. If the value for that leasehold gift exceeds these allowable monetary threshold values or the allowable leasehold term, then the leasehold gift must be submitted to City Council for acceptance or rejection.

- (c) **Assessment of Value.** For the purposes of determining the value of any gift accepted by the Department, or when the Department is requested to accept a gift by any Neighborhood Council, including determining whether the gift is valued in excess of the monetary threshold value that requires the gift to be submitted to City Council, then the value of the gift shall be calculated as follows:
 - (1) If the gift is monetary in nature, then the value is measured in United States dollars.
 - (2) The value of all non-monetary gifts is determined in the sole discretion of the General Manager, or the General Manager's designee, based on his or her determination of the fair-market value of the gift.
- (d) **Donor Disclosure Form.** No gift valued at more than \$500 shall be accepted by the Department or the Neighborhood Councils unless the person or entity that is the source of the gift completes the Department's approved donor disclosure form.

The requirement for completing a donor disclosure form shall not be avoided by donating successive or incremental gifts during a single calendar year, where the successive or incremental gifts would be independently valued at less than \$500, but the accumulated value of the gifts over the course of that calendar year exceeds the value of \$500. If any person gives or donates an accumulation of gifts within the same calendar year that total in value more than \$500, then the donor must complete the donor disclosure form for each gift that exceeds this allowable accumulated total.

The donor disclosure form shall be dated and completed with information from the donor that includes and memorializes the following information required by State law:

- (1) That the Department or the Neighborhood Council, whichever is applicable, shall receive and control the gift;
- (2) That the gift shall be used solely for official business related to the Neighborhood Council system;
- (3) Whether the gift contains any restrictions, limitations or conditions, so long as the donor does not designate the gift for any specific person(s). The donor shall state and list the names of persons or the category of persons using the gift, e.g., the board of the Neighborhood Council, the executive committee of the Neighborhood Council, or the stakeholders of the Neighborhood Council. However, the Department, or the Neighborhood Council if the Neighborhood Council controls the gift, shall determine in its sole discretion the specific person(s) who may use the gift; and
- (4) States the donor's name or identifying information, address, a description of the gift, and the fair-market value or an estimate of the fair-market value for the gift.

In addition, the donor disclosure form shall contain an area for the entry of information by the Department or the Neighborhood Council that describes the official use for the gift.

The donor disclosure form shall also require the donor to disclose any contract, license, permit or project that the donor is currently seeking, intends to seek, or sought in the past six months from the City.

The donor disclosure form shall be filed with the Department within 30 days of the receipt of the gift.

(e) **Post Acceptance Handling of Gifts.** Monetary gifts accepted by the Department shall be deposited into the Neighborhood Empowerment Trust Fund (Trust Fund) in accordance with Section 5.485 of this Code. If the Department accepts an unconditional monetary gift on behalf of a Neighborhood Council, then the Department shall deposit 10% of the amount of the gift into a special account for disbursement to

Neighborhood Councils in economically disadvantaged areas consistent with Section 5.485(d) of this Code. The Department shall accept non-monetary gifts by delivery, receipt of physical possession, or other method of transfer of title or possession as is required by law. The Department shall track physical inventory donated to the Neighborhood Council system by maintaining any necessary perpetual stock records of furniture or equipment, as required under Sections 7.79 and 7.84 of this Code. The Department will enter all monetary gifts pertaining to the Neighborhood Council system into the City's Financial Management Information System (FMIS) and will enter all non-monetary gifts pertaining to the Neighborhood Council system and valued above \$5,000 into the Citywide Inventory System (CWIS). Items valued above \$5,000 will be assigned an inventory control number and an inventory tag will be provided to the Neighborhood Council by the Department for those items. The Department shall insure that all gifts accepted for the benefit of the Neighborhood Council system are appropriately registered or recorded in accordance with the provisions in this section.

- (f) **Restricted Gifts.** The Department shall comply with any special terms, conditions or restrictions on any gift. In addition, if any monetary gift that is accepted by the Department contains terms, conditions or restrictions, then the monies shall be deposited in an appropriate account in the Trust Fund in accordance with Section 5.485 of this Code. The Department shall notify the City Controller of any special terms, conditions or restrictions placed on the use of those monies.
- (g) **Expenditure of Monies.** The Department is authorized to expend monies from the Trust Fund, including expenditures from any account or sub-account in the Trust Fund, either on behalf of the Department or on behalf of any or all of the certified Neighborhood Councils, and may expend funds for the purchase of equipment, services or furnishings in support of the established programs and activities of the Department or the Neighborhood Councils, or in furtherance of the purposes or goals of the Citywide system of Neighborhood Councils, as stated in the City Charter, the Plan, and the Regulations implementing the Plan, subject to any special terms, conditions or restrictions attached to the gift. Monies may also be expended on neighborhood improvement projects that have been approved under the administrative processes established by the Department. Prior to the expenditure of any monies in any account or subaccount that was established because a gift contained a special term, condition or restriction, the Department shall provide the Controller with written documentation to demonstrate that any expenditure complies with the special term, condition or restriction.
- (h) **Record-Keeping.** The Department shall prepare a periodic written report that contains information covering all gifts accepted in the preceding six-month period of time, commencing on April 1st and October 1st of each year, and this report shall be submitted to City Council with copies to the Controller and the Board of Neighborhood Commissioners within 30 days after the close of the six-month period. This report to City Council shall include the following information:
 - (1) An accounting of the Trust Fund and the Neighborhood Council checking accounts, including a balance statement, a list of deposits, identification of the name of the donor that is the source of the donated monies, the date of the deposit, a list of all expenditures, including the payee, the amount paid, the date, and the purpose of each expenditure.
 - (2) A summary of the donor disclosure forms that have been filed with the Department that lists the gifts that have been accepted by the City through the Department and/or Neighborhood Councils. This summary shall state the donor's name, a brief description of the gift, the date of the gift's acceptance, and the gift's value. Copies of the relevant donor disclosure forms that have been referenced in the summary shall be affixed to the summary.
 - (3) For those accepted gifts in which a donor disclosure was not submitted, the Department shall provide the following information:
 - (i) That the Department or the Neighborhood Council, whichever is applicable, shall receive and control the gift.

- (ii) That the gift shall be used solely for official business related to the Neighborhood Council system.
- (iii) Whether the gift contains any restrictions, limitations or conditions. The Department shall also state and list the names of persons or the category of persons using the gift, e.g., the Department or the specific Neighborhood Council.
- (iv) The donor's name or identifying information, address, a description of the gift, and the fair-market value or an estimate of the fair-market value for the gift.
- (4) A list of any donated leasehold interest in office, storage, or meeting space that is occupied by a Neighborhood Council, including the location of the space, the Neighborhood Council occupying the space, the donor's name, the value of the leasehold interest, the leasehold term, and any limits, restrictions, or conditions upon which the donation is based.
- (i) **Prohibited Gifts.** No gift shall be accepted by the Department that:
 - (1) Involves or relates to providing childcare services.
 - (2) Is a gift from a foreign or domestic government entity, excluding grants or grant funding related to the Citywide System of Neighborhood Councils.
 - (3) Involves a fee interest in real property, or any partial or full ownership interest in real property, except that a leasehold or possessory interest for office, storage or meeting space as described in Subsection (b), above, is allowed.
 - (4) Requires ongoing maintenance or costs that will be expended by the City for upkeep in an amount exceeding \$1,000 annually, such as a gift of a monument, artwork, or mural that requires ongoing and continuous expenses by the City to maintain the gift.
 - (5) Includes livestock or animals, whether rare or domestic, wild or tame.
 - (6) Is a gift involving a motorized vehicle, automobile, aircraft or boat, or any vehicle that requires registration with the California Department of Motor Vehicles.

The Board of Neighborhood Commissioners may develop further policies with respect to the specific types of gifts that may or may not be accepted.

- (j) The acceptance of any gift under this section does not warrant, guarantee, or purport to establish any benefits that may be derived under State or Federal law. However, the Department is authorized to facilitate the attempt by any donor of a gift to receive from the Department a written acknowledgment of the gift for tax purposes, including that the General Manager of the Department, or the General Manager's designee, may provide a contemporaneous written acknowledgment, a disclosure regarding a quid pro quo contribution, or any mandatory disclosure regarding the gift for tax related purposes.
- (k) The provisions of this section shall expire, and be deemed to have been repealed, three years after its effective date, unless earlier amended and extended by the Council by ordinance.

SECTION HISTORY

Added by Ord. No. 179,545, Eff. 3-16-08.

Sec. 22.801.2. Neighborhood Council Elections administered by the Department.

SECTION HISTORY

Added by Ord. No. 182,128, Eff. 6-18-12. Deleted by Ord. No. 182,723, Eff. 10-28-13.

ARTICLE 2 CONTROL AND MANAGEMENT

Section	
22.802	General Manager.
22.803	Appointment and Removal of the General Manager.
22.804	Powers and Duties of the General Manager.
22.805	Board of Neighborhood Commissioners.
22.806	Powers and Duties of the Board.
22.807	Conflict of Interest.
22.808	Organization and Meetings of the Board.
22.809	Development of the Neighborhood Council Plan.
22.810	Implementation of the Plan.
22.810.1 Regulations Implementing the Plan for a Citywide System of Neighborhood	
Councils (Plan).	
22.811	Certification of Neighborhood Councils.
22.812	Annual City Budget Priorities.

Sec. 22.802. General Manager.

The Department shall be under the control of a General Manager.

22.813 Monitoring of City Services.

SECTION HISTORY

Article and Section Added by Ord. No. 172,728, Eff. 8-30-99.

Sec. 22.803. Appointment and Removal of the General Manager.

The General Manager shall be appointed by the Mayor, subject to confirmation by the Council, and may be removed by the Mayor, as provided in Charter Section 508.

SECTION HISTORY

Added by Ord. No. 172,728, Eff. 8-30-99.

Sec. 22.804. Powers and Duties of the General Manager.

The powers and duties of the General Manager shall be those specified in Charter Section 510.

SECTION HISTORY

Added by Ord. No. 172,728, Eff. 8-30-99.

Sec. 22.805. Board of Neighborhood Commissioners.

- (a) The Board of Neighborhood Commissioners shall consist of seven board members and be referred to in this chapter as the "Board" or the "Commission".
- (b) The Board shall be comprised of seven members all of whom shall represent the City in its entirety. The members shall reflect the diverse geographic areas of the City, whereby the appointed Board members shall each be a resident or worker within one of the seven Area Planning Commission regions, and reflect the diversity of communities of interest, neighborhoods, ethnicity, race, gender, age, homeowner and renter status, and sexual orientation. The Mayor is encouraged to consider current and former members of neighborhood councils in appointing the Board members.
- (c) The Board members shall be appointed by the Mayor and confirmed by the Council and may be removed by the Mayor and vacancies filled in accordance with the provisions of the City Charter.

SECTION HISTORY

Added by Ord. No. 172,728, Eff. 8-30-99. Amended by: Subsec. (b), Ord. No. 180,593, Eff. 4-25-09.

Sec. 22.806. Powers and Duties of the Board.

- (a) The Board shall be responsible for setting and overseeing policy, approving contracts and leases, and promulgating rules and regulations. It shall not be responsible for the day-to-day management of the Department.
- (b) The Board is authorized to define the types and duration of contacts that constitute "substantial and ongoing participation" for a community interest stakeholder under Section 22.811(a)(1). The Board's definition of a community interest stakeholder shall be subject to the concurrence of the City Council and the Mayor. Any change to the definition of a community interest stakeholder shall not be implemented within seven days of the start of the election cycle. Instead, the change will be implemented prior to the start of the next election cycle. For the purposes of this ordinance, an election cycle shall be defined as the period between the opening of the stakeholder or candidate filing period, whichever comes first, for the first regional Neighborhood Council election and the certification of elections for the last regional Neighborhood Council election.

SECTION HISTORY

Added by Ord. No. 172,728, Eff. 8-30-99. Amended by: Ord. No. 185,240, Eff. 12-13-17.

Sec. 22.807. Conflict of Interest.

Members of the Board and Board nominees shall be subject to all ethics and conflict of interest laws and regulations applicable to governing boards and commissions in the City of Los Angeles.

SECTION HISTORY

Added by Ord. No. 172,728, Eff. 8-30-99.

Sec. 22.808. Organization and Meetings of the Board.

- (a) The Board shall adopt rules of order and appoint from among its members a president and vice-president who each shall hold office for one year or until their successors are elected, unless their respective membership on the Board ceases sooner. The Board shall hold regular public meetings at least twice each month and may hold meetings more often if necessary to conduct business. All meetings shall be noticed and held in accordance with law. Members of the Board shall be paid \$50 per meeting for each meeting of the Board attended, not to exceed \$250 in any one calendar month.
- (b) At least four members shall constitute a quorum, but a smaller number may adjourn from time to time until a quorum is present. The Board may establish a committee or committees composed of three of its members to consider matters for, to conduct hearings on behalf of, and make recommendations to the board on matters relating to neighborhood empowerment.
- (c) The powers conferred on the Board shall be exercised by order or resolution adopted by a majority of its members and recorded in the Board's minutes.

SECTION HISTORY

Added by Ord. No. 172,728, Eff. 8-30-99. Amended by: Ord. No. 173,492, Eff. 10-10-00.

Sec. 22.809. Development of the Neighborhood Council Plan.

The Department of Neighborhood Empowerment shall seek public input in its development of a Plan for a Citywide system of neighborhood councils. The Plan shall contain a statement of goals, policies and objectives of the Neighborhood Council system, and shall contain specific regulations, in draft ordinance format. These regulations, when adopted by ordinance, shall be sufficient to implement the Plan and shall conform with the following:

- (a) The regulations shall establish the method by which boundaries of neighborhood councils will be determined based on standards adopted by the Commission and approved by City Council. The system for determining boundaries shall maintain neighborhood boundaries to the maximum extent feasible and may consider community planning district boundaries where appropriate.
- (b) The regulations must ensure that all areas of the City are given an equal opportunity to form neighborhood councils.
- (c) The regulations shall establish the procedure and criteria for recognition or certification of neighborhood councils.
- (d) The regulations shall not restrict the method by which the members of a neighborhood council are chosen, if the process otherwise satisfies the requirements of this article.
- (e) The regulations shall require that neighborhood councils adopt fair and open procedures for the conduct of their business. However, neighborhood council meetings are not all required to be held within the boundaries of the area represented by the neighborhood council.
- (f) Early Notification Procedures. The regulations shall establish procedures for receiving input from neighborhood councils prior to decisions by the City Council, City Council committees and boards and commissions. The procedures shall include, but need not be limited to, notice to

neighborhood councils as soon as practical and a reasonable opportunity to provide input before decisions are made. That notice shall be required for matters that will be considered by the City Council, City Council committees, City boards or commissions and any other City official who is required to hold a noticed public hearing. However, failure of a neighborhood council to receive notice shall not invalidate any action of the City Council, City Council Committees, City boards or commissions or any other City official.

SECTION HISTORY

Added by Ord. No. 172,728, Eff. 8-30-99.

Sec. 22.810. Implementation of the Plan.

The Department of Neighborhood Empowerment shall complete development of the Plan and present it and all necessary regulations for a system of neighborhood councils to the Council and Mayor within one year of the establishment of the department and commission. The Council shall consider the regulations and, within six months after presentation of the Plan to Council, may adopt ordinances to implement the regulations as proposed or as modified by the Council consistent with the requirements of the plan set forth above in Section 22.809. If implementing ordinances are not adopted within the time period set forth in Charter Section 905, then the regulations adopted by the Board shall become effective, and to the extent not inconsistent with law shall be binding upon all City departments and offices.

SECTION HISTORY

Added by Ord. No. 172,728, Eff. 8-30-99.

Sec. 22.810.1. Regulations Implementing the Plan for a Citywide System of Neighborhood Councils (Plan).

- (a) **Department Responsibilities.** In addition to the responsibilities set forth in Article IX of the City Charter and Section 22.801 of this Code, the Department of Neighborhood Empowerment (Department) shall:
 - (1) Assist all groups and stakeholders seeking certification so they will have an equal opportunity to form and develop Neighborhood Councils by:
 - (A) Providing assistance to areas of the City with traditionally low rates of participation in government;
 - (B) Helping communities understand the processes and procedures for establishing a Neighborhood Council;
 - (C) Assisting with completion of certification documentation; and
 - (D) Mitigating barriers to participation, such as the need for translation and child care services.
 - (2) Assist neighborhoods and Neighborhood Councils with public and civic education, outreach and training with an emphasis given to areas that have traditionally low rates of participation in government.
 - (3) Assist applicants and neighborhoods to prepare all petitions and forms referenced in the Plan, to identify suitable Neighborhood Council boundaries, and organize Neighborhood Councils in

accordance with the Plan.

- (4) Assist Neighborhood Councils with the selection of their governing body and conduct the City's portion of the outreach effort necessary to mobilize stakeholders to vote in Neighborhood Council elections.
- (5) Help coordinate meetings and facilitate communication among Neighborhood Councils that request assistance.
- (6) Help coordinate, arrange, and convene the biannual Congress of Neighborhood Councils meetings.
- (7) Promote and facilitate open communication among City agencies and Neighborhood Councils, and provide education, guidance and assistance in developing strategies for providing comments and feedback to the City Council and its committees and City boards and commissions.
- (8) Provide operational support and facilitate the sharing of resources among Neighborhood Councils, including, but not limited to, meeting and office space, office equipment, and mail and communications in order to communicate among constituents, Neighborhood Councils, and government officials.
- (9) Create and maintain a database of information about Neighborhood Councils, including, among other information, names and contact information that will be available for public use.
 - (10) Act as an information clearinghouse and resource to Neighborhood Councils.
- (11) Coordinate efforts to establish and ensure continued operation of the Early Notification System as prescribed in the Plan.
 - (12) Arrange training for Neighborhood Councils' officers and staff.
- (13) Review and evaluate the Neighborhood Council System on an annual basis. As part of its annual report, the Department shall provide information on the size, geographic scope, and economic and demographic conditions of areas in which Neighborhood Councils have and have not been certified.
- (14) Report quarterly, commencing from the adoption date of the Plan, to the appropriate Council Committee on the Department's certification efforts, and on strategies and recommendations for certifying areas with traditionally low rates of civic participation in government to ensure participation by all the City's neighborhoods in the certification process.
- (15) Provide adequate levels of staffing, with consideration to resource availability, for each Neighborhood Council.

(b) Certification of Neighborhood Councils.

- (1) **Department Responsibilities.** The Department shall have the following responsibilities:
 - (A) Announce and inform the public of the Neighborhood Council certification process Citywide.
 - (B) Actively promote the formation of Neighborhood Councils Citywide, giving emphasis to those areas and community stakeholder groups with traditionally low rates of civic participation in government.

- (C) Facilitate and encourage collaboration and discussion among neighboring and overlapping applicant groups.
- (D) Provide technical assistance on how to proceed with a unified certification application.
- (E) Provide dispute resolution services to applicants where more than one application is submitted for a Neighborhood Council boundary area to gain consensus on a unified certification application.
- (2) Qualification and Criteria for Neighborhood Council Certification. Any group of persons in a community may seek certification as a Neighborhood Council by presenting an application to the Department that includes the following information:
 - (A) A boundary proposal that sets forth the rationale for the boundary choice, and shows how the boundaries comply with the following Boundary Goal Criteria:
 - (i) The proposed area has a minimum of 20,000 residents. However, areas that have fewer than 20,000 residents may be considered for certification providing they meet the following criteria and otherwise meet all other requirements of the Plan:
 - (1) The proposed area is separated from adjacent communities by significant geographic or other features; or
 - (2) The proposed area is identified by name within any of the adopted community plans within the City of Los Angeles; or
 - (3) The proposed area represents an historic, identifiable neighborhood or community and includes local City service providers, such as a public library, park or recreation center, fire or police station or a public school.
 - (ii) The proposed area, to the maximum extent feasible, follows historic and contemporary community and neighborhood borders, utilizes natural boundaries or street lines and is geographically compact and contiguous.
 - (iii) Neighborhood Council boundaries may not overlap with other Neighborhood Council boundaries unless the area proposed for inclusion into each Neighborhood Council is designated for a public use, such as a park, school, library, police or fire station or major thoroughfare or contains a landmark or facility with historical significance.

The application proposal for overlapping boundaries with another Neighborhood Council must include a detailed rationale for incorporating the proposed area.

- (B) A detailed description of the outreach process used to identify community stakeholders within the proposed Neighborhood Council boundary as well as the following:
 - (i) Proof of the collection of no less than 200 and no more than 500 signatures from community stakeholders within the proposed Neighborhood Council boundaries.
 - (ii) Signatures shall, to the maximum extent feasible, reflect the broadest array of community stakeholders who will be active participants in the Neighborhood

Council.

- (C) A copy of the Neighborhood Council's approved by-laws which shall include the following:
 - (i) The Neighborhood Council name.
 - (ii) A statement that the Neighborhood Council membership is open to all community stakeholders.
 - (iii) A list of the offices of its governing body and its method for regularly electing or selecting its officers who shall serve as the governing body subject to the following:
 - (1) The governing body must, to the extent possible, reflect the diversity of the neighborhood council's stakeholders. All stakeholders must be eligible to vote and run for at least one board seat. Neighborhood councils may allocate their board seats to specific stakeholder categories and establish stakeholder eligibility requirements in voting for the board seats. If a neighborhood council allocates its board seats to specific stakeholder categories, then the neighborhood council must include at least one seat for which every stakeholder is eligible to vote and run. Neighborhood councils may not allocate a majority of their board seats to a single stakeholder group, unless approved by the Department upon a showing of extenuating circumstances. The election procedures created by the Department or City Clerk pursuant to Section 20.36 shall require, in a situation where a neighborhood council requires that a stakeholders to provide proof of eligibility, that proof of stakeholder status for community interest stakeholders must be consistent with and substantially equivalent to the evidentiary proof required of stakeholders who live, work or own property.
 - (2) Terms of members of the governing body shall be for two or four years, to be decided upon by individual Neighborhood Councils. Neighborhood Councils may limit the total number of terms that a member of the governing body may serve, if the term limitations are set forth in the Neighborhood Council's bylaws after the effective date of this ordinance.
 - (3) The governing body shall include an officer named "Treasurer," whose duties shall include, but not be limited to, maintaining the Neighborhood Council's book of accounts and submitting account statements to the Department no less than once but not more than three times during the fiscal year, as prescribed by the Department.
 - (iv) A description of its meeting procedures which shall include provisions that each Neighborhood Council shall do the following:
 - (1) Meet at least once per calendar quarter.
 - (2) Obey any or all applicable sections of the state's Ralph M. Brown Act.
 - (3) Establish procedures for communicating with all Neighborhood Council community stakeholders on a regular basis in a manner that ensures that information is disseminated throughout and in a timely manner.

- (4) Adopt procedures for running meetings, including provisions that identify: the number of governing body members that constitute a majority and a quorum; the number of votes by which a governing body may take an action on a matter before it; the manner in which an action by the governing body can be reconsidered, if at all.
- (v) The method it will use to address grievances and resolve disputes by which an individual community stakeholder or group of community stakeholders of a Neighborhood Council may express concerns to their Neighborhood Council about its actions.
- (D) A description of its system of financial accountability that meets the requirements set forth in Article III, Section 2(d) of the Plan.
- (E) An acknowledgment and agreement that the Neighborhood Council will abide by any applicable provisions of the City's Governmental Ethics Ordinance, as set forth in Los Angeles Municipal Code Section 49.5.1 et seq., and an acknowledgment and agreement that it will abide by all applicable laws of the federal, state and local government.
- (F) The names of no fewer than three and no more than five individuals who shall act as official contacts between the applicants and the Department until the Neighborhood Council is certified.

(c) Certification Process.

- (1) **Certification.** The Department will review and make an evaluation of the certification application to determine whether the application meets all of the criteria set out in Article III, Section 2 of the Plan.
- (2) **Department Responsibilities.** Once a certification application is submitted to the Department, the Department shall evaluate the application to determine whether it is complete. After determining that an application is complete and that it describes a specific set of boundaries for a proposed Neighborhood Council, the Department shall forward the application, any accompanying information, and its recommendation to the Board of Neighborhood Commissioners (Commission) for consideration and notify the Neighborhood Council in writing that the application has been forwarded to the Commission for its consideration. The Department shall evaluate the certification application and make a recommendation to the Commission pursuant to the procedures set forth in Article IV of the Plan.
 - (A) If the Department receives two or more certification applications that identify the same, similar, or overlapping Neighborhood Council boundaries, the Department shall immediately notify in writing all contacts, as required to be identified in Paragraph (F) of Subdivision (2) of Subsection (b) of this section and Article III, Section 2(f) of the Plan, for all affected applicant groups in an effort to work with applicants to produce a unified application. The procedures set forth in Article IV Section 2(b) of the Plan should then be followed to the maximum extent feasible.
 - (B) If at any time during the process as described in Article IV of the Plan, the Department determines that an application is not complete, it shall return the application to the applicants along with a written description of the missing components required for the certification application. Applicants may thereafter at any time re-submit the application after amending it to meet all the necessary criteria.

- (C) If the Department fails to evaluate or make a recommendation on the application as set forth in Article IV, Section 2 of the Plan, the Department shall forward the application to the Commission for its consideration without the Department's recommendation.
- (3) Before the Commission acts on a proposed certification, the matter shall be set for a public hearing. The Department shall post public notices, as set forth in Article IV, Section 3 of the Plan, setting forth the time, place and purpose of the hearing, which shall be posted within the boundaries of the proposed Neighborhood Council for 15 days. The notices shall be translated in accordance with the provisions set forth in Article IV, Section 3 of the Plan.

Notice of the time, place and purpose of the hearing shall also be mailed to the applicant and to the contacts identified in the application as required in Paragraph (F) of Subdivision (2) of Subsection (b) of this section, within the time frames set forth in Article IV, Section 3 of the Plan. The Commission shall act on the certification within ten days after the expiration of the 15 day posting period, unless the Commission's regularly scheduled meeting does not fall within this ten day period or unless the Commission and the Neighborhood Council applicants agree to an extension of time.

The Commission meeting should be conducted within the boundaries of the proposed Neighborhood Council, if feasible. In a case where two or more certification applications have identified the same, similar, or overlapping Neighborhood Council boundaries, the Commission shall make a final determination on how the final boundaries of each Neighborhood Council shall be drawn, giving consideration to the criteria set forth in Article III, Section 2(a) of the Plan and any other applicable provisions of the Plan. The Commission shall either approve or disapprove the certification application based upon the criteria set forth above in Subdivision (2) of Subsection (b) of this section and the criteria set forth in the Plan.

(4) **Appeals.** If the Commission approves the application, the proposed Neighborhood Council shall be recognized and certified as a Neighborhood Council. If the Commission disapproves the application, the applicants may appeal to the City Council within the time as set forth in Article IV, Section 9 of the Plan. The City Council may, by ten votes, sustain, reverse or modify the Commission's decision to disapprove a certification application.

(d) Boundary Adjustment.

- (1) **Adjustment of Boundaries.** A Neighborhood Council may file a petition with the Commission to adjust its boundaries. All petitions must meet the criteria set forth in this section and in Article III, Section 2 of the Plan. Reasons for boundary adjustments may include, but are not limited to:
 - (A) Incorporating an uncertified adjacent community into the Neighborhood Council;
 - (B) Reconfiguring the size of the Neighborhood Council based on a decrease or increase in population; or
 - (C) Increasing or reducing the size of the Neighborhood Council to increase effectiveness and efficiency.

(2) Boundary Adjustment Other Than Incorporation.

(A) **Department Responsibilities.** The Department shall review a petition within 15 days of its receipt and make a recommendation to the Commission. Before the Commission acts on a proposed boundary adjustment, the matter shall be set for a public hearing. Fifteen days prior to the hearing, the Department shall post public notices within the boundaries of the Neighborhood Council, stating the time, place and purpose of the hearing, as set forth in

Article VI, Section 2(d) of the Plan. The notices shall be translated in accordance with the provisions set forth in Article VI, Section 2(d)(ii) of the Plan.

Notice of the time, place and purpose of the hearing shall also be mailed to the applicant pursuant to the time frames set forth in Article VI, Section 2(d) of the Plan. The Commission meeting should be conducted within the boundaries of the proposed Neighborhood Council, if feasible. The Commission shall act on the boundary adjustment within ten days after the expiration of the 15-day posting period, unless the Commission's regularly scheduled meeting does not fall within this ten day period or unless the Commission and the Neighborhood Council applicants agree to an extension of time.

- (B) Commission Action. The Commission shall consider the recommendation of the Department, review the petition and determine whether the petition meets the criteria of this ordinance and Article VI, Section 2 of the Plan at a public hearing, noticed as set forth in Paragraph (2)(A) above, and make its determination within ten days of receipt of the Department's recommendation, unless the Commission's regularly scheduled meeting does not fall within this ten day period or unless the Commission and the Neighborhood Council applicants agree to an extension of time.
- (C) **Appeals.** If the Commission approves the petition, the Neighborhood Council boundary shall be determined to be changed in accordance with the petition. If the Commission disapproves the petition, the Neighborhood Council may appeal to the City Council within the time set forth in Article VI, Section 2(b) of the Plan. The City Council may, by ten votes, sustain, reverse or modify the Commission's decision to disapprove a boundary adjustment petition.
- (3) **Incorporation Into Adjoining Neighborhood Councils.** The Commission shall have the authority to expand a Neighborhood Council's boundary in order to incorporate an area of the City that has not formed a Neighborhood Council into the boundary of another, adjoining Neighborhood Council provided that:
 - (A) The proposed area to be incorporated into a Neighborhood Council's boundary lies between two or more Neighborhood Councils;
 - (B) The proposed area to be incorporated does not qualify for certification under the provisions of this Plan; and
 - (C) Community stakeholders of the proposed area to be incorporated and of the affected Neighborhood Council agree to the proposed incorporation.
- (4) **Incorporation Initiated by an Entity Other than the Commission**. An incorporation petition may be submitted by an entity other than the Commission, if community stakeholders of the area to be incorporated and of the affected certified Neighborhood Council have agreed to the proposed incorporation.
 - (A) **Department Responsibilities.** After determining that an incorporation petition initiated by community stakeholders or an entity other than the Commission is complete, the Department shall forward the petition, any accompanying information and its recommendation to the Commission for consideration. The Department shall notify the Neighborhood Council in writing that the petition has been forwarded to the Commission for its consideration. The Department shall evaluate the petition and make a recommendation to the Commission pursuant to the procedures set forth in Article VI of the Plan.

- (i) If at any time during the process as described in Article VI of the Plan, the Department determines that a petition is not complete, it shall return the petition to the applicants along with a written description of the missing components required for the petition. Applicants may thereafter at any time re-submit the application after amending it to meet all the necessary criteria.
- (ii) If the Department fails to evaluate or make a recommendation on the petition as set forth in Article VI, Section 2(d) of the Plan, the Department shall forward the application to the Commission for its consideration without the Department's recommendation.
- (B) Commission Action. Before the Commission acts on the petition, the matter shall be set for a public hearing. The Department shall post public notices, as set forth in Article VI, Section 2(d) of the Plan, stating the time, place and purpose of the hearing, which shall be posted within the boundaries of the proposed Neighborhood Council for 15 days. The notices shall be translated in accordance with the provisions set forth in Article VI, Section 2(d)(ii) of the Plan.

Notice of the time, place and purpose of the hearing shall also be mailed to the applicant pursuant to the time frames set forth in Article VI, Section 2(d) of the Plan. The Commission meeting should be conducted within the boundaries of the proposed Neighborhood Council, if feasible. The Commission shall act on the incorporation petition within ten days after the expiration of the 15-day posting period, unless the Commission's regularly scheduled meeting does not fall within this ten day period or unless the Commission and the Neighborhood Council applicants agree to an extension of time.

(C) **Appeals.** If the Commission approves the petition, the proposed area shall be incorporated into the Neighborhood Council named in the Incorporation Petition. If the Commission disapproves the petition, the applicants may appeal that decision to the City Council within the time frames set forth in Article VI, Section 2(d)(vii) of the Plan. The City Council may, by ten votes, sustain, reverse or modify the Commission's decision to disapprove the petition.

(e) Decertification of a Neighborhood Council/ Declaration of a Board Vacancy by the Board of Neighborhood Commissioners.

- (1) **Department Action.** On its own initiative, or after a recommendation by Regional Grievance Panel, the Department may seek the involuntary decertification of a Neighborhood Council or may seek a declaration of vacancy for one or more Neighborhood Council board seats. Immediately upon the issuance of the Department's petition for decertification of a Neighborhood Council Board or declaration of vacancy in one or more board seats, the Department immediately shall freeze and suspend the access to and use of any City funds previously available to the Neighborhood Council or board members named in the petition.
- (2) **Opportunity to Cure/Exhaustive Efforts.** Prior to initiating the process to decertify a Neighborhood Council or to vacate one of more Neighborhood Council board seats, the Department first shall provide notice to the Neighborhood Council of the applicable law, rule or regulation upon which the decertification or vacancy declaration will be founded. After giving notice to the Neighborhood Council Board, the Department may give the Neighborhood Council Board an opportunity to come into compliance with the applicable law, rule or regulation. The Department also may exercise "exhaustive efforts" by taking over all powers vested in the Neighborhood Council Board or Board members into compliance with the law, rule or regulation. If, despite the opportunity to cure

and/or the Department's exhaustive efforts, compliance is not achieved, then the Department may initiate the process described in Subdivision (e)(3) below.

- (3) **Involuntary Decertification/Vacation of Board Seats.** The Department may petition the Board of Neighborhood Commissioners (Commission) to involuntary decertify or declare one or more board seats vacant in accordance with Article VI, Section 5 of the Plan.
 - (A) **Commission Hearing.** To the extent feasible, the Commission hearing on a petition for decertification or vacation of one or more board seats, shall be conducted within the boundaries of the Neighborhood Council at issue.
 - (B) **Notice.** At least 15 days before the Commission acts on a petition for decertification or vacation of one or more board seats, the Department shall post at least five public notices of the hearing. The notices shall be posted within the boundaries of the proposed Neighborhood Council, stating the time, place and purpose of the hearing, as set forth in Article VI, Section 5(b)(iii) of the Plan. The Department shall provide email notification to the Neighborhood Council Board of the hearing. The public notices shall be translated in accordance with the provisions set forth in Article VI, Section 5(b)(iii) of the Plan.
 - (C) Commission Determination Regarding Decertification. The Commission may decertify a Neighborhood Council based upon evidence that the Neighborhood Council failed to demonstrate the willingness or ability to comply with any rule, regulation or law applicable to Neighborhood Council. If a Neighborhood Council is decertified, the Neighborhood Council no longer shall be a certified Neighborhood Council in the City of Los Angeles. Within 48 hours, a decertified Neighborhood Council immediately shall vacate any City owned, leased or controlled property and shall surrender to the City all City-owned property, including personal and intellectual property.
 - (D) Commission Determination Regarding Vacating One or More Board Seats. As an alternative to decertifying the Neighborhood Council, the Commission may vacate one or more board seats based on evidence that one or more board member has failed to demonstrate a willingness to comply with any rule, regulation or law applicable to the Neighborhood Council Board or board member.
 - (E) **Appeals.** If the Commission decertifies a Neighborhood Council or declares one or more board seats vacant, the Neighborhood Council or an individual whose seat was declared vacant may file an appeal pursuant to the provisions of Article VI, Section 5(f) of the Plan. The City Council may by ten votes, sustain, reverse or modify the Commission's decision.

(4) Voluntary De-Certification.

- (A) A Neighborhood Council may file a petition with the Commission for decertification. A de-certification application must be signed by at least 3/4 of the governing body of the Neighborhood Council seeking de-certification and must also include the following:
 - (i) Evidence of the processes used for outreach to stakeholders and the involvement of stakeholders in the decision to de-certify;
 - (ii) Evidence that stakeholders in the Neighborhood Council area have been surveyed on the de-certification application;

- (iii) Evidence that the Neighborhood Council's governing body has widely publicized within the Neighborhood Council area the fact that there is an application for de-certification pending before the Commission in its Neighborhood Council area; and
- (iv) Evidence that the Neighborhood Council took its formal action on the decertification after giving a 15-day public notice.
- (B) **Department Responsibilities.** Fifteen days prior to the hearing, the Department shall post public notices within the boundaries of the proposed Neighborhood Council, stating the time, place and purpose of the hearing, as set forth in Article VI, Section 6(b) of the Plan. The notices shall be translated in accordance with the provisions set forth in Article VI, Section 6(b)(iii) of the Plan. At the same time that notices are posted pursuant to Article VI, Section 6(b) of the Plan, notice of the time, place and purpose of the hearing shall also be mailed to the Neighborhood Council.
- (C) Commission Action. The Commission meeting should be conducted within the boundaries of the Neighborhood Council, if feasible. The Commission shall act on the decertification within ten days after the expiration of the 15-day notice period, unless the Commission's next regularly scheduled meeting does not fall within this ten day period or unless the Commission and the Neighborhood Council agree to an extension of time. The Commission may de-certify a Neighborhood Council based upon a finding that the evidence set forth in Paragraph (A), above, has been shown and a finding that 3/4 of the governing body of the Neighborhood Council has consented to the de-certification.

If the Commission approves the petition, the Neighborhood Council shall be de-certified and will no longer be officially recognized as a certified Neighborhood Council in the City of Los Angeles and shall return all City-owned resources, including unexpended City-appropriated funds, to the City within five days after the City has made its final decision to decertify the Neighborhood Council.

(D) **Appeals.** If the Commission disapproves the petition, the Neighborhood Council may file an appeal pursuant to the provisions of Article VI, Section 6(f) of the Plan. The City Council may, by ten votes, sustain, reverse or modify the Commission's decision to deny decertification of the Neighborhood Council.

(f) Early Notification System (ENS).

- (1) **ENS Website.** The Department may assist the Information Technology Agency in coordinating the development of an ENS website through which information may be made available to certified Neighborhood Councils by the City Council, its committees, and City boards and commissions.
- (2) Procedures for Sharing City Information with and Receiving Comment from Neighborhood Councils.
 - (A) Information from the City should be sent to certified Neighborhood Councils as soon as practical so that certified Neighborhood Councils are afforded as much opportunity as is practical to provide comment before decisions are made.
 - (B) Certified Neighborhood Councils may provide comment and feedback to the City Council, its committees, and to City boards and commissions by using the ENS.

(C) The Neighborhood Council may communicate its views either by way of mailed letter, fax, electronic mail (e-mail), or by a representative appearing in person to make a presentation on an item before the City's decision-makers. Should each certified Neighborhood Council be provided with an e-mail address, pursuant to Article VIII of the Plan, the use of this e-mail address shall be strictly limited to official Neighborhood Council business, such as communicating with Neighborhood Council members about meeting times and places and communicating with the City regarding matters of importance to Neighborhood Councils.

(g) Funding.

- (1) Money appropriated in the budget each year for certified Neighborhood Councils for the costs related to the functions, operations and duties of a certified Neighborhood Council shall be placed in the Neighborhood Council Fund. The functions, operations and duties of a certified Neighborhood Council include, but are not limited to, meeting and office space, office equipment, computers, supplies and communications, such as the costs associated with newsletters, postage or printing written materials. At the discretion of each Neighborhood Council, and as approved by the City Clerk, all or part of the money so appropriated may be used for neighborhood improvement projects. The City Clerk is authorized to promulgate all procedures, rules and regulations, as well as to issue any directives necessary for the administration of Neighborhood Council expenditures, including neighborhood improvement projects and Neighborhood Purpose Grants.
- (2) Any money which the Mayor and Council appropriate as grant funds each fiscal year for certified Neighborhood Councils shall be available for various neighborhood improvement projects. In order to be eligible for grant money, a certified Neighborhood Council shall submit an application to the City Clerk and may be awarded grants, pursuant to the provisions as set forth in Article IX Section 2 of the Plan. The City Clerk is authorized to promulgate all procedures, rules and regulations, as well as to issue any directives necessary for the administration of the grant process discussed in this subdivision.

SECTION HISTORY

Added by Ord. No. 176,704, Eff. 7-17-05.

Amended by: Subsecs. (a)(4), (b)(2)(C)(iii)(2), and (e)(1), Ord. No. 179,680, Eff. 4-15-08; Subsec. (b)(2)(C) (iii)(2), Ord. No. 181,132, Eff. 4-30-10; Subsec. (b)(2)(C)(iii)(1), Ord. No. 182,830, Eff. 1-26-14; Subsec. (e), Ord. No. 183,487, Eff. 5-13-15; Subsecs. (g)(1) and (g)(2), Ord. No. 184,835, Eff. 5-1-17.

Sec. 22.811. Certification of Neighborhood Councils.

- (a) **By Laws.** Each neighborhood council seeking official certification from the City shall submit an organization plan and by-laws to the Department of Neighborhood Empowerment showing, at a minimum:
 - (1) the method by which their officers are chosen;
 - (2) that neighborhood council membership will be open to everyone who lives, works or owns real property in the neighborhood and also to those who declare a stake in the neighborhood as a community interest stakeholder, defined as a person who affirms a substantial and ongoing participation within the neighborhood council's boundaries and who may be in a community organization such as, but not limited to, educational, non-profit and/or religious organizations;
 - (3) assurances that the members of the neighborhood council will reflect the diverse interests within their area;

- (4) a system through which the neighborhood council will communicate with stakeholders on a regular basis;
 - (5) a system for financial accountability of its funds; and
- (6) guarantees that all meetings will be open and public, and permit, to the extent feasible, stakeholders to participate in the conduct of business, deliberation and decision-making.
- (b) **Petitioning for Certification and Approval.** Neighborhood councils may petition for certification in accordance with rules and procedures set forth in the Plan.

SECTION HISTORY

Added by Ord. No. 172,728, Eff. 8-30-99. Amended by: Subsec. (a)(2), Ord. No. 179,680, Eff. 4-15-08; Subsec. (a)(2), Ord. No. 182,830, Eff. 1-26-14.

Sec. 22.812. Annual City Budget Priorities.

Each neighborhood council may present to the Mayor and Council an annual list of priorities for the City budget. The Mayor shall inform certified neighborhood councils of the deadline for submission so that the input may be considered in a timely fashion.

SECTION HISTORY

Added by Ord. No. 172,728, Eff. 8-30-99.

Sec. 22.813. Monitoring of City Services.

Neighborhood councils shall monitor the delivery of City services in their respective areas and have periodic meetings with responsible officials of City departments, subject to their reasonable availability.

SECTION HISTORY

Added by Ord. No. 172,728, Eff. 8-30-99.

ARTICLE 3 NEIGHBORHOOD COUNCILS

Section

- 22.814 Acceptance of Donations and Gifts.
- 22.815 Neighborhood Council Checking Accounts.
- 22.816 Neighborhood Council Elections.
- 22.817 Neighborhood Purposes Grants.
- 22.818 Neighborhood Council Grievances.
- 22.819 Neighborhood Council Input at City Board and Commission Meetings.
- 22.820 Neighborhood Council Subdivision.

Sec. 22.814. Acceptance of Donations and Gifts.

A Neighborhood Council that has been certified under the Plan for a Citywide System of Neighborhood Councils (Plan) and the Regulations Implementing the Plan (Regulations) under the limited circumstances set forth below, shall have the power and authority to accept gifts on behalf of the City of Los Angeles that relate to that Neighborhood Council's purposes, missions, or goals, to its programs or activities, or to the Citywide System of Neighborhood Councils if the acceptance of the gift is consistent with the purposes and goals expressed in the City Charter, the Plan, and the Regulations.

Gifts may include any item, monetary or non-monetary, tangible or intangible, that is contributed, provided, given, transferred, donated, bequeathed or devised to the City through the Neighborhood Councils. The authority to accept any gift includes the authority to reject or rescind the acceptance of any gift at any time. Nothing in this section requires the acceptance or retention of any gift. Nothing in this article precludes the Neighborhood Council from requesting that the City Council or the Department make a determination regarding the acceptance of any gift.

(a) Limitations on Acceptance of Gifts. A Neighborhood Council shall only accept gifts that relate to its purpose, mission, policies, and programs, to the Citywide system of Neighborhood Councils, consistent with the City Charter, the Plan and the Regulations. No gift shall be accepted by any Neighborhood Council that exceeds \$10,000 in value. Gifts valued in excess of \$10,000 shall be submitted to City Council for acceptance or rejection.

No gift of real property shall be accepted by the Neighborhood Council, including any gift for a fee simple estate or a leasehold interest in property. Gifts for a leasehold interest in real property for a term of one year or less, comprising office, storage, or meeting space, may be accepted by the Department acting on behalf of the Neighborhood Council under Section 22.801.1 of this Code. The Neighborhood Council may also request that City Council accept any gift on its behalf involving real property.

- (b) **Assessment of Value.** For the purposes of determining the value of any gift that is accepted by a Neighborhood Council, including whether the gift is valued in excess of the monetary threshold value that requires the gift to be submitted to City Council, then the value of the gift shall be calculated as follows:
 - (1) If the gift is monetary in nature, then the value is measured in United States dollars.
 - (2) The value of all non-monetary gifts is determined based on an assessment of the gift's fair market value by the governing body of the Neighborhood Council at the public meeting where the decision is made to accept the gift.
- (c) **Donor Disclosure Form.** No gift valued at more than \$500 shall be accepted unless the person or entity that is the source of the gift completes the Department's approved donor disclosure form.

The requirement for completing a donor disclosure form shall not be avoided by donating successive or incremental gifts during a single calendar year, where the successive or incremental gifts would be independently valued at less than \$500, but the accumulated value of the gifts over the course of that calendar year exceeds the value of \$500. If any person gives or donates an accumulation of gifts within the same calendar year that total in value more than \$500, then the donor must complete the donor disclosure form for each gift that exceeds this allowable accumulated total.

The donor disclosure form shall be dated and completed with information from the donor that includes and memorializes the following information required by State law:

- (1) That the Neighborhood Council shall receive and control the gift;
- (2) That the gift shall be used solely for official business related to the Citywide system of Neighborhood Councils;

- (3) Whether the gift contains any restrictions, limitations or conditions, so long as the donor does not designate the gift for any specific person(s). The donor shall state and list the names of persons or the category of persons using the gift, e.g., the board of the Neighborhood Council, the executive committee of the Neighborhood Council, or the stakeholders of the Neighborhood Council. However, the Neighborhood Council, in its sole discretion, shall determine the specific person(s) who may use the gift; and
- (4) States the donor's name or identifying information, a description of the gift, and the fair-market value or an estimate of the fair-market value for the gift.

In addition, the donor disclosure form shall contain an area for the entry of information by the Department or the Neighborhood Council that describes the official use for the gift.

The donor disclosure form shall also require the donor to disclose any contract, license, permit or project that the donor is currently seeking, intends to seek, or sought in the past six months from the City.

The donor disclosure form shall be filed with the Department within 30 days of the receipt of the gift.

(d) **Method of Acceptance.** Prior to conducting any public hearing to accept or reject any gift, the Neighborhood Council must have a completed donor disclosure form if that form is required under Subsection (c) above.

The acceptance of the gift by the Neighborhood Council shall occur at a meeting that is noticed in compliance with the Ralph M. Brown Act. The Neighborhood Council shall list on its agenda for the public meeting an item that describes the gift, the gift source or donor, that the Neighborhood Council will make a determination regarding the gift's value, and that the Neighborhood Council may take possible action regarding the acceptance or rejection of that gift or refer the gift to City Council or the Department for action.

When a gift is valued at less than \$500 and the donor disclosure form is not required to be completed, the Neighborhood Council may delegate to a member of its board the ability to accept these gifts and to determine their value. This delegation of power to a board member shall occur at a public meeting and the board member accepting the delegation shall file, on a monthly basis, a list containing the information specified in Subsection (i)(2), below.

- (e) Accounts / Post-Acceptance of Monetary Gifts. Neighborhood Councils shall deposit monetary gifts into an appropriate account in the "Neighborhood Empowerment Trust Fund" (Trust Fund) of the City's Treasury in accordance with Section 5.485 of this Code or into a checking account established pursuant to Section 22.815 of this Code. The Neighborhood Council shall deposit 10% of the value of all unconditional monetary gifts that it receives into a special account for disbursement to Neighborhood Councils in economically disadvantaged areas consistent with Section 5.485(d) of this Code.
- (f) **Post-Acceptance / Non-Monetary Gifts.** Neighborhood Councils are exempt from registration of all non-monetary gifts, such as physical property items, office equipment, inventory or supplies, with the Citywide Inventory System, including the maintenance of any necessary perpetual stock records of furniture or equipment, as required under Sections 7.79 and 7.84 of this Code. However, Neighborhood Councils shall report all monetary gifts to the Department for entry into the City's Financial Management Information System and shall report all non-monetary gifts valued above \$5,000 to the Department. For non-monetary gifts valued above \$5,000, the Department shall provide the Neighborhood Council with an inventory control number and an inventory tag for the gifts and the Neighborhood Council shall affix the inventory tag to the gift.
- (g) **Restricted Gifts.** Neighborhood Councils shall ensure compliance with any special terms, conditions or restrictions attached to the use of any gift. If any monetary gift contains restricted terms, the

monies shall be segregated from other accounts and earmarked with the required restrictions.

- (h) **Expenditure of Monies.** Neighborhood Councils shall have the power and authority to expend funds for costs related to the functions, operations and duties of being a certified Neighborhood Council, including, but not limited to, leasing space for office use, meetings or storage, the purchase of office equipment, computers, supplies, or expenditures for communications, such as the costs associated with newsletters, postage or printing written materials. Neighborhood Councils may also expend the funds on neighborhood improvement projects as long as the appropriation of monies for neighborhood improvement projects have been approved under the administrative processes established by the Department of Neighborhood Empowerment. All Neighborhood Council requests for expenditures from the Trust Fund shall be processed with the Controller through the General Manager of the Department, or the General Manager's designee. Expenditures by the Neighborhood Councils from the checking account shall be made by a negotiable written instrument and shall bear the signatures of the Neighborhood Council's Treasurer and the President or Vice-President.
- (i) **Record-Keeping.** In addition to forwarding all donor disclosure forms to the Department within 30 days of the date of the receipt of the gift, the Neighborhood Council shall keep a written record of all accepted gifts. The record shall be submitted to the Department on March 1st and September 1st of each year. The record shall cover the immediately preceding six-month period of time and contain the following information:
 - (1) An accounting of all accepted monetary gifts, which shall state the amount of the gift, the date accepted, and the source or donor of the gift. In addition, the report shall list all deposits and expenditures from the Trust Fund and the checking account, including the payee, the amount paid, the date, and the purpose of the expenditure or a description of the item purchased; and
 - (2) A statement that the Neighborhood Council shall receive and control the gift. A statement that the gift shall be used solely for official business related to the Citywide system of Neighborhood Councils. Whether the gift contains any restrictions, limitations or conditions. The names of persons or the category of persons using the gift, e.g., the board of the Neighborhood Council, the executive committee of the Neighborhood Council, or the stakeholders of the Neighborhood Council. The donor's name or identifying information, a description of the gift, and the fair-market value or an estimate of the fair-market value of the gift. For those gifts that have a value or accumulated value over \$500 during any calendar year, a copy of the donor disclosure form.
 - (j) **Prohibited Gifts.** No gift shall be accepted by a Neighborhood Council that:
 - (1) Involves or relates to providing childcare services.
 - (2) Is a gift from a foreign or domestic government entity, excluding grants or grant funding related to the Citywide system of Neighborhood Councils.
 - (3) Involves any ownership or possessory interest in real property, including a fee simple or leasehold interest.
 - (4) Requires ongoing maintenance or costs that will be expended by the City for upkeep in an amount exceeding \$1,000 annually, such as a gift of a monument, artwork, or mural that requires ongoing and continuous expenses by the City to maintain the gift.
 - (5) Includes livestock or animals, whether rare or domestic, wild or tame.
 - (6) Is a gift involving a motorized vehicle, automobile, aircraft or boat, or any vehicle that requires registration with the California Department of Motor Vehicles.

The Board of Neighborhood Commissioners may develop further policies with respect to the specific types of gifts that may or may not be accepted.

- (k) The acceptance of any gift pursuant to the provisions of this article does not warrant, guarantee, or purport to establish any benefits that may be derived under State or Federal law. However, the Neighborhood Councils are authorized to facilitate the attempt by any donor of a gift to receive an acknowledgment of the gift for tax purposes, including that the Treasurer of the Neighborhood Council may provide a contemporaneous written acknowledgment, a disclosure regarding a quid pro quo contribution, or any mandatory disclosure regarding the gift for tax related purposes.
- (l) The provisions of this section shall expire, and be deemed to have been repealed, three years after its effective date, unless earlier amended and extended by the Council by ordinance.

SECTION HISTORY

Article and Section Added by Ord. No. 179,545, Eff. 3-16-08.

Sec. 22.815. Neighborhood Council Checking Accounts.

- (a) The Office of Finance is hereby authorized to establish any account for the benefit of Neighborhood Councils (the **Account**). The Account shall list the City Clerk as a joint account holder and grant the City Clerk authority to unilaterally suspend or close the Account. Alternatively, upon the request of the City Clerk, the Office of Finance may also create a single account, with the City Clerk as the prime account holder. The City Clerk is further authorized to create sub accounts (**Sub Accounts**) to segregate the appropriate funding level for each Neighborhood Council. The City Clerk shall determine which board members will have access and authority to use the Account or Sub Account. The City Clerk shall have authority to suspend or terminate any board member's access to the Account or Sub Account with or without cause. The City Clerk is authorized to transfer funds between and from the Neighborhood Council's City account to the Account or Sub Account. The City Clerk is authorized to promulgate all procedures, rules and regulations, as well as to issue any directives necessary for the administration of the Neighborhood Council Account or Sub Account.
 - (b) Neighborhood Councils may not withdraw cash from the Checking Accounts.
- (c) Neighborhood Councils are authorized to make the following expenditures from their respective Checking Account by a negotiable written instrument:
 - (1) Payments for the functions and operations of the Neighborhood Council pursuant to Section 22.810.1(g)(1) of this Code;
 - (2) Payments for the neighborhood improvement projects that have been approved by the City Clerk pursuant to Section 22.810.1(g)(1) of this Code; and
 - (3) Payments for neighborhood purposes grants where the applications have been approved by the City Clerk pursuant to Section 22.817 of this Code.
- (d) If a Neighborhood Council is unable to operate, lacks sufficient board members to form a quorum for its regular meetings, or has been placed into exhaustive efforts by the Department pursuant to Article VI section 4 of the Plan for a Citywide System of Neighborhood Councils, then the City Clerk is authorized to make any payment from the respective Checking or Sub Account for the Neighborhood Council's functions and operations pursuant to Section 22.810.1(g)(1) of this Code.

(e) In the event any Neighborhood Council is decertified, abandoned, or otherwise ceases to exist, or the Checking or Sub Account is closed or terminated, then any and all funds in the Checking or Sub Account shall be returned to the Neighborhood Council Fund in accordance with Section 5.517 of this Code.

SECTION HISTORY

Article and Section Added by Ord. No. 179,545, Eff. 3-16-08.

Amended by: Title and Section, Ord. No. 182,549, Eff. 7-6-13; In Entirety, Ord. No. 182,792, Eff. 1-1-14; Ord. No. 184,835, Eff. 5-1-17.

Sec. 22.816. Neighborhood Council Elections.

Neighborhood Council board member elections shall be administered pursuant to Section 20.36 of this Code.

SECTION HISTORY

Added by Ord. No. 179,680, Eff. 4-15-08.

Amended by: Subsec. (a)(1), Ord. No. 181,056, Eff. 2-21-10; Subsec. (b), Ord. No. 181,132, Eff. 4-30-10; In Entirety, Ord. No. 182,128, Eff. 6-18-12; Title and Section, Ord. No. 182,723, Eff. 10-28-13.

Sec. 22.817. Neighborhood Purposes Grants.

Neighborhood Councils are authorized to make monetary grants to nonprofit corporations (excluding religious institutions and private schools) organized under 26 United States Code Section 501(c)(3) and to public schools pursuant to the criteria set forth in Article XI of the Plan for a Citywide System of Neighborhood Councils.

SECTION HISTORY

Added by Ord. No. 180,155, Eff. 9-26-08.

Sec. 22.818. Neighborhood Council Grievances.

- (a) **Regional Grievance Panels.** Seven Regional Grievance Panels are hereby established to consider grievances involving any of the City's Neighborhood Councils. The City's seven regional planning areas shall be used to determine the boundaries for the seven Regional Grievance Panels, comprised of South Area, Central Area, Harbor Area, West Area, East Area, North Valley Area and South Valley Area. The Department of Neighborhood Empowerment (Department) shall assign each Neighborhood Council to one geographic area that best corresponds to the Neighborhood Council's boundaries.
- (b) **Appointments to a Regional Grievance Panel.** Each Neighborhood Council may appoint one board member or stakeholder to serve on a pool of panelists eligible to sit on a Regional Grievance Panel. The term of each panelist shall commence when the Neighborhood Council notifies the Department of the appointment and shall be valid until such time as the Neighborhood Council names a replacement. The Department, in its sole discretion, may reject or remove any panelist appointed by the Neighborhood Council and request the Neighborhood Council to appoint a replacement panelist. The Department may develop mandatory training required before a panelist may serve on the Regional Grievance Panel.

(c) Grievances.

(1) **Grievance Defined.** A Grievance consists of any allegation that a Neighborhood Council board, as a body, failed to follow any of the following:

- (A) A bylaw or standing rule of the Neighborhood Council;
- (B) A section of the Los Angeles Administrative Code;
- (C) A section of the Plan for the Citywide System of Neighborhood Councils;
- (D) An applicable policy of the Board of Neighborhood Commissioners;
- (E) A rule or regulation promulgated by the Department; or
- (F) Any other City code, executive directive, rule or regulation applicable to Neighborhood Councils.
- (2) **Exclusions.** The Grievance process set forth in this section shall not be applicable to any of the following:
 - (A) An alleged violation of state or federal law;
 - (B) An allegation of wrongdoing by an individual member of a Neighborhood Council board or committee:
 - (C) An allegation involving an action or inaction by a Neighborhood Council committee; or
 - (D) A policy dispute or disagreement regarding the position of a Neighborhood Council board or committee.
- (3) **Grievance by Board Member.** A board member may file a Grievance against his or her own board. Any Grievance filed by a board member against his or her own board will bypass consideration by the impacted Neighborhood Council Board, as set forth in Subsection (d)(2). The Department will forward a Grievance filed by a board member against his or her own board directly to the Regional Grievance Panel for disposition, as specified in Subsection (d)(6).

(4) Grievance Forms.

- (A) The Department shall develop a Grievance Form. The Department only shall process a Grievance filed on the Grievance Form approved by the Department. At a minimum, the Grievance Form will require the Grievant to specify:
 - (i) The nature of the Neighborhood Council's alleged violation;
 - (ii) Any specific bylaw, rule, regulation, code, policy or directive that allegedly has been violated;
 - (iii) The nature of the remedy sought by the Grievant; and
 - (iv) An email address or mailing address to which all notices may be sent.
- (B) The Department shall develop a Grievance Response Form. Only the Neighborhood Council identified in the Grievance may file a Grievance Response Form. The Department only shall process a response filed on a Grievance Response Form approved by the Department. At a minimum, the Grievance Response Form shall require the Neighborhood Council to specify:

- (i) The nature of the response to the Grievance;
- (ii) The bylaw, rule, regulation, code, policy or directive that is relevant to and supports the response to the Grievance;
 - (iii) The remedy, if any, which the Neighborhood Council suggests; and
- (iv) The email or mailing address of the member of the Neighborhood Council Board authorized to represent the Neighborhood Council in connection with the Grievance.
- (C) The Department shall develop a Witness Statement Form. The Department only shall process a witness statement filed on a Witness Statement Form. Each Witness Statement Form will be limited to one page. The Department only will process a Witness Statement Form if the information contained thereon is within the personal knowledge of the witness and relates to the facts and circumstances surrounding the Grievance. Each Witness Statement Form must be signed by the witness under penalty of perjury. A Grievant may file no more than three Witness Statement Forms in connection with any Grievance.
- (5) **Time for Filing a Grievance.** A Grievance must be filed within 30 days from the date of the event giving rise to the Grievance, except that any Grievance alleging a violation relating to Neighborhood Council funding must be filed within 90 calendar days of the date the expenditure is made.
- (6) **Serial Grievances Prohibited.** The Department shall not process more than three Grievance Forms filed by the same person in any calendar year. The Department shall not process more than five Grievance Forms filed by the same person in any three year period. The Department shall not process any Grievance relating to a previously filed Grievance, except that the Department, in its sole discretion, may coordinate and bundle the disposition of multiple Grievances relating to the same facts and circumstances as a single Grievance.

(d) Grievance Process.

- (1) **Department Receipt of Grievance.** The Department shall review a Grievance within seven calendar days of submission to determine whether the Grievance conforms to Subsections (c)(1) and (c)(2), above. Upon a determination that a Grievance conforms with Subsection (c)(1), above, the Department shall certify the Grievance for disposition and notify the affected Neighborhood Council that the Grievance may proceed through the Grievance process established herein. The certification of a Grievance by the Department shall not be construed as a statement regarding the validity or invalidity of the Grievance.
- (2) **Review of Grievance by Neighborhood Council.** After receiving a certified Grievance from the Department, a Neighborhood Council must, at its next regular or special meeting, but not more than 60 calendar days from the communication from the Department, take one of the following actions:
 - (A) Consider the Grievance in accordance with the grievance process specified in the Neighborhood Council's bylaws and issue a decision to sustain and cure or reject the Grievance in whole or in part; or
 - (B) Waive consideration of the Grievance and request the Department to forward the Grievance directly to the Regional Grievance Panel for consideration.

- (3) **Standing Waiver.** In the alternative, a Neighborhood Council may adopt a bylaw or standing rule which waives consideration of all Grievances.
- (4) **Inaction by Neighborhood Council.** If a Neighborhood Council fails to timely consider the Grievance or waives consideration of the Grievance, the Department shall forward the Grievance to the Regional Grievance Panel in accordance with Subsection (d)(5), below.
- (5) **Appeal of Neighborhood Council Action.** A Grievant may appeal a decision of the Neighborhood Council issued pursuant to Subsection (d)(2)(A). A Grievant may not appeal a decision by the Neighborhood Council to waive consideration of any or all Grievances. No person other than the Grievant may appeal a decision. The appeal must be filed with the Department within seven calendar days from date of the Neighborhood Council's action on the Grievance.
- (6) **Establishment of a Regional Grievance Panel.** The Department shall convene a Regional Grievance Panel under the following circumstances:
 - (A) The Department receives a timely appeal from a decision of a Neighborhood Council;
 - (B) A Neighborhood Council fails to timely consider a certified Grievance;
 - (C) A Neighborhood Council waives consideration of a Grievance; or
 - (D) A board member files a Grievance against his or her own board.
- (7) Composition of the Regional Grievance Panel. The Department shall exercise reasonable efforts to assign a Grievance to a Regional Grievance Panel in the region in which the Neighborhood Council is located. The Department randomly shall select three panelists from the Neighborhood Council's region to serve on the Regional Grievance Panel. If sufficient panelists from a Neighborhood Council's region are unavailable for any reason, the Department, in its sole discretion, may appoint one or more panelists from another region, or may convene a Regional Grievance from another area, to consider the Grievance.
- (8) **Time Limit for Regional Grievance Panel Hearing.** A Regional Grievance Panel shall hear the Grievance within 21 days after the Department convenes the Regional Grievance Panel. If the Regional Grievance Panel does not reach a determination on the Grievance within 21 days, the Department shall disband the Panel and create another Regional Grievance Panel as stated is Subsection (d)(5), above, to hear the matter.
- (9) **Notice of a Regional Grievance Panel Hearing.** The Department shall provide notice of the Regional Grievance Panel hearing to the Grievant at the address provided on the Grievance Form. The Department also shall provide notice of the Regional Grievance Panel hearing to the Neighborhood Council representative listed on the Grievance Response Form.
- (10) Conduct of the Regional Grievance Panel Hearing. The only written evidence considered at the Grievance Panel Hearing will be the Grievance Form, the Grievance Response Form and up to three Witness Statements filed by each side. At the hearing on the Grievance, the Grievant shall have the opportunity to present an opening argument not to exceed ten minutes. The Neighborhood Council designee shall have the opportunity to present an opening argument not to exceed ten minutes. The Grievant shall present a rebuttal not to exceed five minutes. The Neighborhood Council representative shall present a rebuttal not to exceed five minutes. The Regional Grievance Panel may, in its sole discretion, extend the time of the opening arguments and rebuttals. No further witness testimony shall be allowed. After conclusion of the rebuttal by the Neighborhood Council representative, the Regional Grievance Panel may question either of the parties. The Regional Grievance Panel will open the matter for public comment for ten minutes unless, in the sole

discretion of the Regional Grievance Panel, additional time for public comment is necessary to adjudication of the Grievance. The Regional Grievance Panel then shall deliberate the Grievance and prepare a written recommendation to the Department.

- (11) **Regional Grievance Panel Determination.** Within seven calendar days after the hearing, the Regional Grievance Panel shall issue to the Department a written determination in writing regarding whether the Grievance is sustained or rejected, in whole or in part. If the Grievance is sustained in whole or in part, the Regional Grievance Panel determination also shall include a recommended remedy. The Department shall post a copy of the Grievance Panel's determination on the Department's website and also shall provide a copy of the determination to the Neighborhood Council and the Grievant.
- (12) Appeals from the Regional Grievance Panel. Only a Grievant or the Neighborhood Council at issue in the Grievance may appeal a determination of the Regional Grievance Panel. The only basis to appeal a Decision of the Regional Grievance Panel is an allegation of impropriety by the Regional Grievance Panel. No other bases shall give rise to an appeal of a Regional Grievance Panel determination, including, but not limited to, failure or inability to introduce new or additional evidence at either the Neighborhood Council or Regional Grievance Panel or failure or inability to attend the scheduled hearing date. Within seven calendar days, the Department shall make a determination on any appeal. If the appeal is rejected by the Department, neither the Grievant nor the Neighborhood Council may appeal the Department's decision. If the Department determines that the Regional Grievance Panel's determination was improper, the Department shall establish another Regional Grievance Panel to reconsider the Grievance.
- (e) **Remedies.** The Department, in its discretion, may impose the remedy or combination of remedies recommended by the Regional Grievance Panel or may impose a remedy or remedies of its own discretion. If the Department imposes a remedy or remedies that are more severe than the recommendation of the Regional Grievance Panel, the Department shall inform the Regional Grievance Panel of the basis for its decision. The remedies that may be recommended by a Regional Grievance Panel or imposed by the Department alone or in combination, are as follows:
 - (1) Issuance of an admonishment or warning to the Neighborhood Council board or individual board member or members;
 - (2) Issuance of a directive for the Neighborhood Council board to take corrective affirmative action;
 - (3) Issuance of a directive requiring the Neighborhood Council Board or an individual board member or members to undergo mandated training;
 - (4) Issuance of a directive requiring the Neighborhood Council Board or an individual board member or members to engage in mediation;
 - (5) Suspension of board operations until mandated trainings are taken by the board or board member or members;
 - (6) Temporary suspension of Neighborhood Council funding;
 - (7) Placement of the operations of the Neighborhood Council Board under the control and supervision of the Department;
 - (8) Suspension of an individual board member or members;
 - (9) Imposition of an election challenge remedy, as authorized by the Department; or

- (10) Initiation of the de-certification process or the process to declare board seats vacant pursuant to Section 22.810.1(e) of this Code.
- (f) **Notice of Imposition of Remedy.** The Department shall notify the Grievant and the Neighborhood Council of the remedy or remedies imposed by Department within 14 calendar days from the Regional Grievance Panel's determination.
- (g) **Regulations.** The Department is authorized to promulgate any further procedure, rule or regulation necessary for the administration of this Grievance process, including making clarifications or additions to the remedies listed in Subsection (e), above.

SECTION HISTORY

Added by Ord. No. 183,487, Eff. 5-13-15.

Sec. 22.819. Neighborhood Council Input at City Board and Commission Meetings.

- (a) **Formal Position.** The Neighborhood Council may take a formal position on an issue being considered by the City at the Neighborhood Council's publicly agendized meeting. The Neighborhood Council board's formal position shall be reduced to a Community Impact Statement filed with the City Clerk or a written Resolution.
- (b) **Board and Commission Meetings.** The agenda for each City Board or Commission meeting shall contain an agenda item for a Neighborhood Council representative to provide the Neighborhood Council's formal position on any matter listed on the agenda for that Board or Commission meeting. The Neighborhood Council representative shall provide the Board or Commission with a copy of the Neighborhood Council's Resolution or Community Impact Statement. The agenda item for the Neighborhood Council's formal position should be listed on the agenda in an order that ensures prompt consideration of the Neighborhood Council position and should be listed separately from general public comment. In the chair's discretion at the City Board or Commission meeting, the Neighborhood Council representative may be asked to have a seat at the table typically reserved for City staff and may provide the Neighborhood Council representative more comment time than allotted to members of the general public.

SECTION HISTORY

Added by Ord. No. 184,243, Eff. 6-4-16.

Sec. 22.820. Neighborhood Council Subdivision.

- (a) **Subdivision Petition.** A stakeholder within an existing certified Neighborhood Council who desires forming a separate certified Neighborhood Council within the boundaries of one or more existing certified Neighborhood Councils shall submit a subdivision petition to the Department of Neighborhood Empowerment (Department) on a form approved by the Department. The subdivision petition shall identify five stakeholders who are authorized to receive notice and make decisions regarding the subdivision petition, including any bylaw changes. The Department shall review the subdivision petition to determine if the subdivision petition complies with the components of a Certification Application stated in Article III, Section 2 of the Plan for a Citywide System of Neighborhood Councils (Plan), except that the subdivision petition may propose boundaries that are within one or more existing certified Neighborhood Councils.
- (b) **Election Approving a Subdivision.** The Department shall conduct an election within the boundaries stated in the subdivision petition within 90 days of the Department's approval of the subdivision petition. A stakeholder is eligible to vote in the election if the person is a stakeholder in the proposed area for subdivision or in any of the Neighborhood Councils that are proposed for subdivision. A majority of the

voters from the entire Neighborhood Council or Neighborhood Councils being subdivided must approve the subdivision in order to create the new Neighborhood Council.

- (c) **Bylaws for the Existing Neighborhood Council.** If a majority of the stakeholders at the election approve the subdivision, then the existing certified Neighborhood Council or Neighborhood Councils being subdivided shall amend their bylaws within 30 days of the election to reflect changes to the boundaries and, if applicable, the board structure. If the existing certified Neighborhood Council or Neighborhood Councils fail to provide amended bylaws within 30 days of the election, then the Department is authorized to amend the bylaws to reflect any changes to the boundaries or board structure. The Department shall forward the bylaws for any Neighborhood Council that is being subdivided and the subdivision petition to the Board of Neighborhood Commissioners (Commission) for approval of the bylaws.
- (d) **Approval of Bylaws by the Commission.** The Commission is authorized to review the bylaws for any Neighborhood Council being subdivided and the bylaws in the subdivision petition. The Commission is authorized to make any amendments to the bylaws to satisfy Article III Section 2 of the Plan. If the Commission approves the bylaws in the subdivision petition, then the Neighborhood Council listed in the subdivision petition shall be deemed a certified Neighborhood Council within the City of Los Angeles. The five stakeholders listed in the subdivision petition shall be authorized to work with the Department and make decisions regarding the initial election or selection of the newly certified Neighborhood Council's governing board. The Neighborhood Council or Neighborhood Councils being subdivided are not required to recertify and continue to remain certified after approval by the Commission of the bylaws.
- (e) **Regulations.** The Department is authorized to promulgate any further procedure, rule or regulation necessary for the administration of the subdivision process contained in this section, including, but not limited to, conducting the election for subdivision, initial election for the subdivided Neighborhood Council's governing board, eligibility for voting at any election, and placing limitations the number of subdivision petitions processed during any calendar year.

SECTION HISTORY

Added by Ord. No. 184,526, Eff. 11-9-16.



Toward Community Engagement In City Governance: Evaluating Neighborhood Council Reform in Los Angeles

Juliet Musso, Christopher Weare, Mark Elliot, Alicia Kitsuse, Ellen Shiau







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The authors would like to acknowledge Civic Engagement Initiative Director Terry L. Cooper for his leadership, and Dr. Kyu-Nahm Jun and Jonathan Hussain for their expert research contributions. We would also like to thank Rosalynn Silva for her work in report layout and production.

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TOWARD COMMUNITY ENGAGEMENT IN CITY GOVERNANCE: EVALUATING NEIGHBORHOOD COUNCIL REFORM IN LOS ANGELES

Juliet Musso, Christopher Weare, Mark Elliot, Alicia Kitsuse, Ellen Shiau

POLICY BRIEF

Reporting on a study supported by the Ralph and Dora Haynes Foundation, the Irvine Foundation, and the National Science Foundation

This report presents findings from the Neighborhood Participation multi-year study of neighborhood council implementation in the City of Los Angeles. We discuss the extent to which the system has developed the institutional requisites for success, including democratically legitimate councils, political innovations to support participation, and the capacity for neighborhood councils to act on issues of interest to their constituent communities. We also consider the long-term effects of the reform on political networks and civic culture in Los Angeles. We find a mixed record of success. While a citywide system of certified councils is in place, and some neighborhood councils have developed the capacity to act on behalf of their constituent communities, other neighborhood councils struggle, and the City has done a poor job of developing participatory arenas within which councils can interact constructively with city government.

The charter reform that created neighborhood councils was enacted in June, 1999. Formulation of a plan and related ordinances to structure system development required an additional two years, and certification was launched late in 2001. By 2004, a system of certified neighborhood councils with elected boards was largely in place. At this writing, there are 86 councils, of which 83 have elected boards, advising the City on behalf

of residential communities that average about 39,000 in size. This system emerged from the grassroots; the self-organization of councils must be attributed to the dedicated efforts of community volunteers, good news for a city that is frequently maligned as devoid of civic identity.

Now eight years into the reform, we see variable results regarding the legitimacy, capacity, and influence of neighborhood councils. The most obvious-and regrettable-shortcoming is that neighborhood councils do not adequately incorporate the cultural diversity of Los Angeles. Homeowners with long tenure in the community are most heavily represented, which is not surprising considering that the councils are geographically defined advisory boards. The ramification of this stakeholder orientation is that Latinos are underrepresented, and boards are disproportionately wealthy, white, and highly educated. These representative biases endanger the political legitimacy of the councils, and raise questions regarding their ability to speak and act on behalf of diverse constituencies.

We also identify critical shortcomings in the City's development political reforms-"empowerment innovations"—that would support constructive engagement of neighborhood councils in governance. The Charter contains five provisions intended to create forums for interaction to connect neighborhood councils in advising policy formulation and service delivery. provisions received scant attention during the City's planning of neighborhood councils (the plan focused primarily on DONE responsibilities and certification procedures), and institutional support for council involvement with the City subsequently has evolved in an ad hoc and halting manner. There is not adequate support for council engagement with the City. We advocate that City officials broaden their mental mapping of the neighborhood council system to contain not only the 86 councils, but also structured arenas for their interaction with the City Council, the Mayor's office, boards and commissions, and city departments.

Four conditions for success are identified in Berry, Portney, and Thomson's (1994) renowned study of neighborhood councils: a citywide system, adequate resource support, political support, and empowerment innovations to support participation in city governance. While the citywide system is in place, political support and institutional reforms have been Moreover, it is not clear that neighborhood councils have the leadership resources required to operate effectively. Consequently neighborhood council capacity varies considerably across the City. Given the exigencies of self-maintenance, and the limited assistance provided by the City, it is not surprising that some neighborhood councils struggle with the outreach required to sustain let alone to diversify stakeholder participation. While group conflict and electoral controversies get political attention, many more councils struggle quietly to gain traction on community issues.

The neighborhood council agenda is diverse. While instances of land use opposition gain attention, NIMBYism constitutes a relatively small space on the agenda. Neighborhood councils shape community design guidelines, assist local community organizations, organize festivals and invest in community beautification. What is not widely understood is that they devote an extraordinary share of efforts to self-maintenance and external relations activities. These operational tasks are necessary to survival, and they absorb a amount of volunteer tremendous Neighborhood councils and Department of Neighborhood Empowerment staff agree that outreach is the single most difficult challenge for neighborhood councils.

Neighborhood council systems in other cities have been found to improve civic culture by deepening the quality of participation and fostering more positive attitudes toward city government. Many of these effects are attributable to the relationships that develop among neighborhood councils, their stakeholder constituents, and city officials. Connections to community stakeholders are important to inform council members of local needs and preferences and enabling councils to leverage resources for community Relationships with city officials in turn connect councils to the agents of government, promoting information exchange and helping to foster understanding and opportunities for partnership.

We do not see the councils developing strong relationships with the community or with city officials, perhaps not a surprising finding given the institutional weaknesses of the system. Rather, there is growth in political relationships *between* neighborhood councils, the types of political networks that can support more generalized political mobilization. Indeed, in several instances neighborhood councils have exercised their muscles: in response to the city burglar alarm and DWP rate increase proposals, and most recently, in opposition to City Council placement on the ballet of Proposition R to extend term limits.

What emerges, in sum, is a system that while efficacious in some communities, needs to be broadened to incorporate a more diverse group of stakeholder participants. The City needs to provide much greater assistance to councils with outreach and leadership development, while developing more structured arenas for engagement around policy formulation and service delivery. We recommend reforms in the following areas:

Participatory representation. To increase diversity and improve community linkages, the City should assume responsibility for elections and generalized outreach. It should support councils in performing targeted community organizing to diversify stakeholder involvement. This engagement should not be limited to meeting attendance; councils should increase direct stakeholder involvement in committees, and undertake voluntary projects that are targeted to involve underrepresented groups.

Empowerment innovations. To engage councils constructively there is a need to develop structured arenas for participation in policy service delivery. **Improved** making and communications are critical. The City should improve the Early Notification System to be searchable and to provide earlier notice so councils have more time for consultation. The City also should expand emergent service partnerships, such as the DWP and Public Works memoranda of understanding. It should create regional forums for neighborhood councils to deliberate with city departments. The Mayor's budget process should be made more concrete, enabling councils to provide actionable input on specific decisions such as capital investment or community development. These reforms will require changes to the culture of government in Los Angeles and political leadership that takes seriously the special role the Charter establishes for neighborhood councils.

Neighborhood council capacity. To increase the capacity and efficacy of councils, the City should invest in sustained leadership development programs with a particular focus on conflict negotiation and collaboration. Neighborhood councils should develop better deliberative forums at the community level in order to function more as conveners of community dialogue and less as formalistic mini-City Councils. There is also a need to emphasize community organizing around projects, not simply meetings, and to facilitate sharing of information around council best practices.

I. OVERVIEW OF EVALUATION

'n July 1999, when Los Angeles voters approved a new city charter, the city Lembarked on an ambitious project in participatory democracy. The new Charter created a citywide system of advisory neighborhood councils that would represent the diversity of stakeholders, defined as those who live, work or own property in the neighborhood. The broad goal of the reform as stated in the Charter is "to promote more citizen participation in government and make government more responsive to local needs." The Los Angeles model of neighborhood councils stands out because Los Angeles is extraordinarily large in both population and geographic scope, and diverse in ethnicity, class and languages spoken. While other large cities, such as New York, have forms of neighborhood governance, those systems are appointed and directed centrally. In contrast, Los Angeles sought to create a system that would evolve organically from the grassroots.

The Charter contains several provisions expected to improve neighborhood participation in the city policymaking process. However, the Charter was broad in its outlines, leaving much detail to be resolved by ordinance in the planning process. In turn the Neighborhood Council Plan left many details about design to the discretion of neighborhood council organizers, and provided little guidance regarding the involvement of councils in governance.

The City has invested significant resources in developing this system. It currently appropriates about \$4.3 million per year for expenses incurred by neighborhood councils, including the up to \$50,000 a year each neighborhood council receives. Through FY 2005-2006, the City had appropriated \$10.9 million for neighborhood councils. In addition, the Department of Neighborhood Empowerment, mandated to

support neighborhood councils, had a \$4.3 million operating budget in FY 2005-2006. Yet the most significant investments are the time and efforts of the volunteer neighborhood council participants—many of whom devote tens of hours a week to their responsibilities.

In 2006, the Charter required the appointment of a commission to review the system to examine its development and assess the degree to which it has achieved its goals. The timing of this review is propitious in some ways but premature in others. On one hand, the system of neighborhood councils has had time to develop its central components: The Department of Neighborhood Empowerment (DONE) has operated for eight years; neighborhood councils have formed in almost every neighborhood in the city; and some administrative reforms—such as the creation of an Early Notification System and the Mayor's Neighborhood Council Budget Process-have been implemented. It is appropriate to assess how well these components are operating. On the other hand, it is still relatively early to reach conclusions on the overall impacts of the system. Some neighborhood councils, for example, only have been certified for a few months. More importantly, the fruits of democratic reforms may take a long time to materialize.

Evaluative Criteria and Methodology

The evaluation of an institutional reform such as neighborhood councils is fraught with difficulty. Some members of the press have declared the system a failure hobbled by infighting and irrelevance. Others tout it as an emerging social movement that effectively can address local problems and that has gained the organizational strength to become a force in city politics. Obviously, where one sits has a large influence on one's perception of the system.

¹ City of Los Angeles Office of the Controller. Performance and Financial Audit of the Department of Neighborhood Empowerment. Nov. 28, 2006.

It is important to understand the roots of these disagreements in order to evaluate the successes and shortcomings of the neighborhood council system in a way that allows for broad consensus on the direction this system should take.

The first issue is that the vision for the neighborhood council system outlined in the Charter broad and allows varying interpretations of what the system should accomplish. The Charter states that the purpose of the system is to "promote more participation in government and make government more responsive to local needs." Neighborhood councils must represent the diversity of interests in the community, and every part of Los Angeles must be located within a neighborhood council. Article of Neighborhood Council Plan, adopted implement the system, broadens the goals stated in the Charter. In addition to promoting participation and making government more responsive, the Plan supports "opportunities to build partnerships government," with collaboration and building a sense of community.

The wide range of possible interpretations of these provisions was evident in focus groups the Neighborhood Participation Project conducted early in the implementation process. The neighborhood activists who participated spoke about the importance of community building, lobbying regarding community needs, influencing city services and connecting to the broader city governance process. Another member quoted former New York Mayor Fiorello H. LaGuardia: "The essence of city government is good housekeeping." This prompted another to quip: "Neighborhood councils should not be the maid with the vacuum cleaner but the mother-in-law with the white gloves." The concern that the city would "offload" maintenance duties was echoed by a participant who stated: "We don't want to do the City's job ... like a self-service gas station."

Some focus group participants felt neighborhood councils could influence broad governance processes, such as redistricting, while others articulated the importance of community building through social activities, such as community festivals. The participants tempered their visions, however, with a degree of pragmatism. "No one has hope for revolutionary actions," participant stated, "but the simple ability to be heard." Another agreed: "I don't entertain any delusions that neighborhood councils will share power-I do entertain the vision neighborhood councils can serve as forums for different interests to get together and address issues. There is more value in the fact that these different groups with separate interests come together to focus on community issues."

Beyond the broad and vague Charter mandates for the neighborhood council system, the basic character of this systemic effort at governance reform is inherently difficult to evaluate due to the process orientation of the reform, and the typically contested nature of system outcomes. Because of this, we rely heavily in our evaluation on the extent to which the system seems to be developing capacity for action.

orientation. The creation Process neighborhood council system primarily changed the process rather then setting concrete outcome goals. Evaluating the attainment of process goals remains very much in the eye of beholder. For example, more participation generally is preferred to less, but more participation also increases the probability of conflict either on policy or personal grounds. Less consensus exists on how much conflict should be promoted and tolerated in the system. To some, long raucous meetings in which different parties clash signal that new voices have joined the debate, while to others, such clashes point to a system run amok.

Contested outcomes. The extent to which neighborhood councils make substantive achievements has been contested. If nothing else, urban politics is about resolving conflicts between contending interests. By adding new voices the neighborhood council system changed the dynamics of these policy debates, creating new winners and losers. Naturally, winners and losers

will have contrasting opinions on the value of neighborhood councils in these debates.

The creation of neighborhood councils has been an exercise in building community capacity. *Capacity* indicates the potential for community action, but when and how that capacity may be exercised remains elusive. *Community capacity* often remains latent until a mobilizing issue, such as a rise in crime rate or deterioration of traffic mobility, prompts the community to act.

Simply looking at neighborhood council actions to date provides an incomplete picture of their underlying capacities. The notion of capacity *building* implies a continuous, dynamic process. Therefore, looking at neighborhood council accomplishments in the relatively brief period since council inception provides only partial evidence on how well organizational capacity will be developed and maintained over time.

In this evaluation of the neighborhood councils, we strive to address these difficulties head on. We seek to employ as broad a base of evidence as possible by combining multiple data sources from eight years of field work. Our criteria can be divided into long-run effects of the system versus the intermediate-level system reforms that are necessary prerequisites for the long-run success of the system. The intermediate system goals include:

- A strong participatory core. Councils that make up the system must participate openly and effectively with their constituent stakeholders, which in turn requires open elections of the governing board and broad, representative participation in neighborhood council processes. Deliberation requires effective outreach.
- Political support and provision of resources. Support of key political actors both in terms of open access to policy making and in the provision of resources is crucial. These requisites include appropriate support by DONE and the implementation of the political innovations

outlined in the Charter, including early notification, input into the budgetary process and monitoring of services.

These intermediate goals are discussed in Sections II through IV of this report. The long-run goals of the system of neighborhood councils, which are assessed in this section of the report, are:

- Increased participation of diverse stakeholders. The system is intended to increase both the quantity and quality of civic participation in Los Angeles and thereby foster partnerships between the City and communities to address pressing public problems.
- Improved community capacity. By increasing the organizational capacity of their communities, neighborhood councils should be able to have a positive influence on policy decisions and their neighborhoods.
- Strengthening the civic culture of Los Angeles. Neighborhood councils can influence stakeholder perceptions of their government and their role as citizens. Residents of Los Angeles currently have relatively low levels of trust, and high levels of political disaffection. The question is whether these attitudes can change as a result of involvement in neighborhood councils.

This evaluation uses a multi-methodological approach, combining documentary research with qualitative and quantitative field data. Primary sources of data collection include two surveys of neighborhood council board members; two surveys of Department of Neighborhood Empowerment project coordinators; in-depth interviews with neighborhood council members, city council staff and city department executive liaisons to neighborhood councils; a survey of city department staff who interact with neighborhood councils; documentary data; three focus groups involving neighborhood council stakeholders; and extensive field research, including neighborhood council meeting attendance and observation.

System Overview

The reform has been successful in creating a citywide system of operating neighborhood councils. As the authors elsewhere discuss, given relatively limited resource support from the City, the development of the current citywide system must be attributed to the tremendous efforts of hundreds of volunteer community activists. By 2004, the system was largely in place, with 81 certified neighborhood councils and 74 elected governing boards. Thus the city has had what might be considered a functioning neighborhood council system for approximately three years. There are currently 86 certified neighborhood councils of which 83 have elected boards; the number of councils may increase in the future as some of the larger councils are discussing the possibility of dividing into smaller entities.

It is perhaps more accurate to conceptualize the neighborhood councils as "community councils" given that councils represent on average residential areas of 38,000 people. The average size of a neighborhood council board is about 21 board members. Most of these boards meet monthly, and many have committee substructures that consider policy issues and forward action items for consideration by the governing board.

Neighborhood councils are also beginning to coalesce into regional and citywide policy networks. These include the Citywide Alliance of Neighborhood Councils; the Los Angeles Neighborhood Council Congress; Valley, Harbor, and Northeast Alliances; and other issue- or identity-oriented networks. These various neighborhood networks have increased the flow of information among community activists in the city's many sub-regions.

Civic Participation

The Charter lists promoting citizen participation in government as a central goal of neighborhood councils. Improved participation can be measured in a number of ways. Neighborhood councils can increase the number of times that individuals undertake a participatory act, such as volunteering, voting or attending a meeting. They also can lead to higher-quality forms of participation in which individuals feel a greater sense of empowerment or learn civic skills. These effects occur through a variety of means, including direct involvement on neighborhood councils, the ability of councils to involve communities, interaction with city officials, and building networks of relationships throughout the city among neighborhood activists.

Direct involvement. A clear success of the neighborhood council system over the last seven years has been the creation of a nearly citywide system from the grassroots. Individual volunteers from across the city have labored tirelessly to organize neighborhood councils, undergo the certification process, and manage operations. They have attended countless meetings, trainings and city-level events, such as the Mayor's Budget Day and the Congress of Neighborhood Councils. These accomplishments are all the more impressive given limited city support and often antagonistic relations with the city.

This accomplishment must be qualified, however. It is doubtful that these core volunteers include many newcomers to volunteerism and city politics. In our 2006 survey of neighborhood council board members, almost 98% said they vote either always or nearly always. In addition, neighborhood council board members are substantially more likely than neighborhood residents to be white, wealthy, highly educated, and homeowners, as discussed in Section II of this report. This is not surprising given the enormous dedication required to be an active board member, but it also suggests that neighborhood council decision-making may not represent the majority view of community stakeholders.

Community involvement. Neighborhood councils have exerted increasing effort to reach out to their communities. For example, more councils report outreach in 2006 compared to 2003. This outreach has improved the community awareness of neighborhood councils. A 2003 survey by the

Public Policy Institute of California found that 27% of Angelenos had heard neighborhood councils. In contrast, a 2007 survey by the Leavey Center for the Study of Los Angeles found that nearly 60% of Angelenos were aware of their neighborhood council.2 While levels of awareness are slightly lower for groups that tend to participate less in politics—the young, minorities, and renters with lower incomes and education—these differences are disconcertingly large (see Figure I-1). Despite widely reported problems concerning election disputes, elections have been relatively successful. Most importantly, they attract multiple office seekers leading to a large number of contested races. Turnout is low but respectable for advisory bodies in a city with historically low voter participation.

Relationships with Los Angeles government. Implicit in the goals of improving the responsiveness of city government through participation is the notion that neighborhood councils would help forge stronger relationships between community stakeholders and city These relationships are slow in officials. developing because the city has not systematically implemented one of the most important elements of successful neighborhood councils, political innovations to support participation with the City (see Section III).

Instead, forums for interaction have developed haltingly. While the Mayor's Budget Day and the Congress of Neighborhood Councils attract relatively large audiences, they are not structured as deliberative forums. Several City Council members hold regular meetings with neighborhood council representatives or send field staff to meetings, but others maintain distance. While neighborhood councils have had positive experiences negotiating MOUs with

certain city departments, many departments pay little or no attention to them.

This failure of the system to forge more collaborative and productive relationships is the primary frustration voiced by neighborhood council board members. When asked what can be done to improve the responsiveness of the City, the majority of suggestions point to either improving communications with the City or the responsiveness of individual officials. In contrast, less than 30% of board members specifically cite problems with neighborhood councils.

The available evidence on everyday interactions does not paint a picture of strengthening relationships. The average number of contacts neighborhood council board members report with city officials remained stagnant between our 2003 and 2006 surveys (Figure I-2).³ Moreover reported board member contacts with community stakeholders declined slightly between the two surveys, suggesting weak linkages to the constituents that boards represent.

Board members report the highest level of satisfaction with their contacts when they interact in person with city officials. For example, more than 80% of the board members who contacted the Mayor's office face-to-face reported being satisfied or very satisfied, while only 50% of those who contacted the Mayor's office by other means were satisfied. Unfortunately, personal interaction is becoming less frequent, for example, falling from 62% in 2003 to 49% in 2006 of all contacts with the Mayor's office as seen in Figure I-3.

² Further results of the survey by the Leavey Center for the Study of Los Angeles may be accessed at lmu.edu/csla/community/LARiots1651ToplineReport051507.pdf

 $^{^3}$ In 2003 board members contacted an average of 2.3 offices in the two weeks prior to their last board meeting. This number increased marginally to 2.4 in 2006.



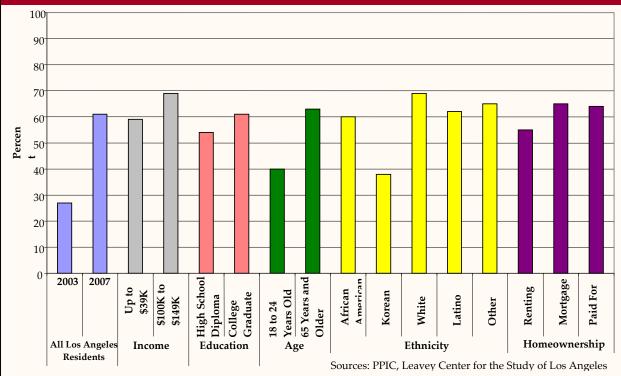
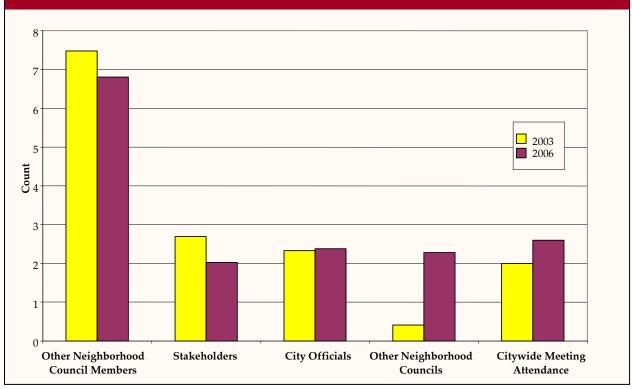


FIGURE I-2: AVERAGE NEIGHBORHOOD COUNCIL MEMBER CONTACTS AND MEETING ATTENDANCE



Citywide networking. Neighborhood council activists reported an increase in citywide networking over time, from 0.4 board contacts with other councils in 2003 to more than two in 2006. This network represents a significant innovation in Los Angeles politics. These new connections represent a store of political and social capital that can serve the neighborhood councils well in the future. Councils can improve their use of this network by sharing and disseminating best practices and innovative ideas.

Community Capacity

To advise the City effectively and help make the City more responsive to community needs, neighborhood councils must develop basic organizational capacities, including the ability to run meetings, recruit and manage volunteers, set goals and conduct debates on controversial issues while avoiding acrimony.

Getting people with differing interests, work styles and busy schedules to volunteer together to achieve common goals constitute a tall order. Many community organizations fold after only a Neighborhood short councils particularly entrenched difficulties because of their hybrid nature. For example, they are volunteer organizations but mandated to be inclusive. Volunteer organizations reduce conflict by attracting like-minded members. Members of the Sierra Club, for example, share common views on environmental issues, which go a long way toward facilitating group activities. The mandate for inclusiveness means neighborhood councils have to learn how to manage conflict effectively.

Similarly, neighborhood councils are grassroots organizations but are also creatures of city government. Although they survive on the volunteer efforts of their members, neighborhood councils are burdened by the Brown Act and other government mandates that typically apply to agencies with a paid workforce.

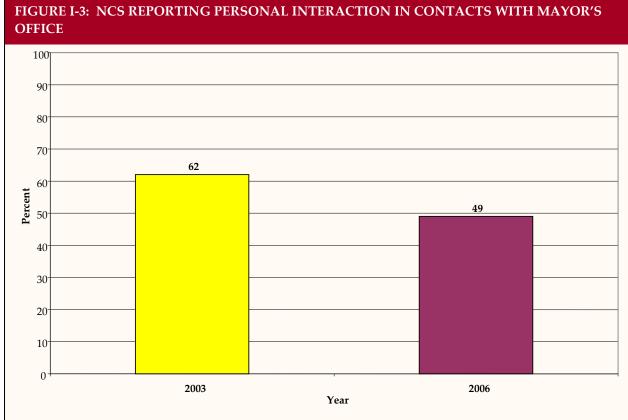
Despite these challenges, neighborhood council organizational capacity has continued to

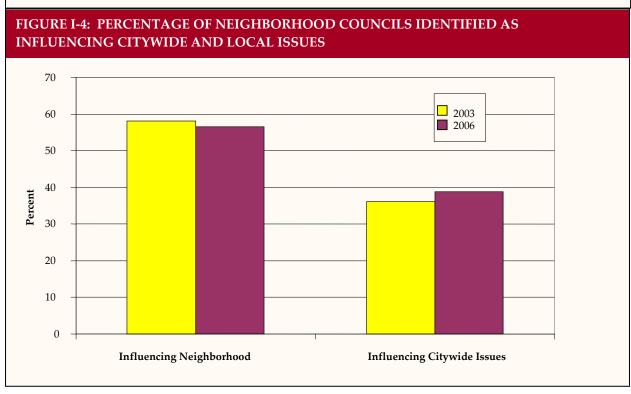
develop. Our survey of DONE project coordinators finds that a larger percentage of neighborhood councils in 2006 can run meetings effectively and set goals. Neighborhood councils also have accumulated a steadily increasing set of accomplishments, such as advising on land use issues, community-building events and neighborhood beautification projects (see Section IV of this report for details). These successes appear to be primarily local in character; Figure I-4 shows that DONE project coordinators agree that nearly 60% of neighborhood councils have had a positive influence on their communities.

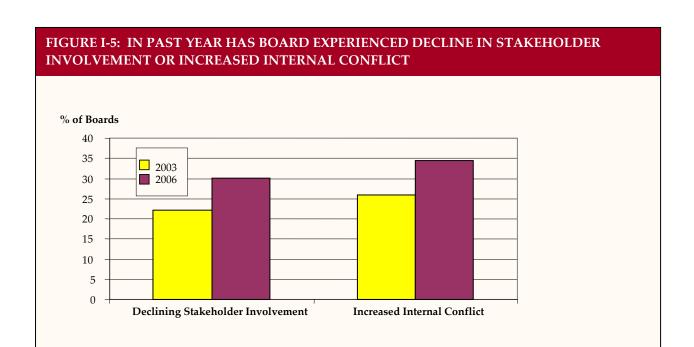
Respondents identified only 39% of neighborhood councils as having influenced citywide policy, a perspective generally shared by City Council staffers interviewed by our project.

Our survey of city administrators who interact with neighborhood councils, which asked administrators to rate different actors on their importance in providing information and developing policy also found little neighborhood council influence. Clearly, city departments have not responded to the spirit of the Charter that gave neighborhood councils a special role in monitoring service delivery issues. Efforts to implement MOUs between some departments and neighborhood councils and to establish a community planning process in the Department of City Planning may ameliorate this situation, but much room for improvement exists.

The successes of neighborhood councils in building organizational capacity are fragile. Leadership changes, burnout by key members or controversies weaken can organizations. In 2003 and 2006, we asked DONE project coordinators whether neighborhood councils had encountered difficulties. In both years, a large number experienced either decreasing community involvement (often due to conflict in the neighborhood council) or increasing group conflict (see Figure I-5). It is clear that this system will face continued needs to recruit capable community leaders, train activists and support group activities.







Strengthening the Civic Fabric of Los Angeles

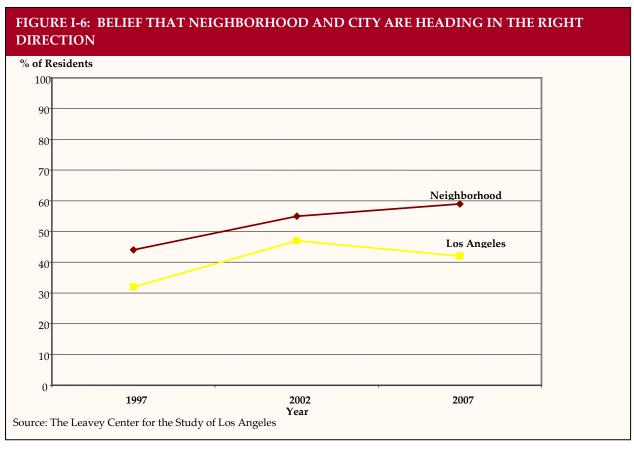
The ultimate test for Los Angeles' system of neighborhood councils is whether it can improve governance by making citizens feel more empowered and government more responsive. As we have argued, this evaluation can provide only an early glimpse of a process that will take decades to take root. Unfortunately, the early returns on the broad impacts of neighborhood councils on Los Angeles are at best mixed.

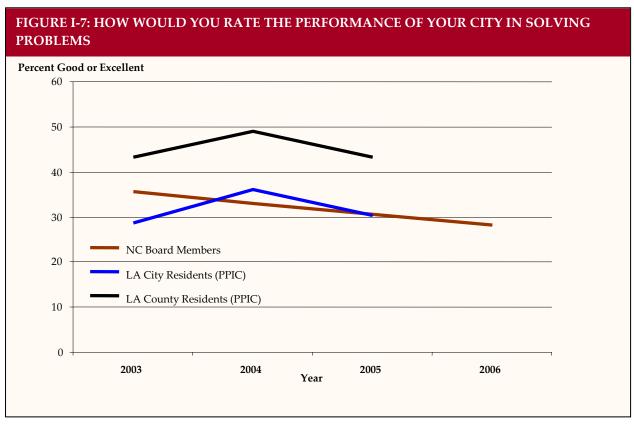
The good news is that compared to 1998—the year before Charter reform was adopted—Angelenos feel better about the direction of the City and, in particular, the direction of their neighborhoods (see Figure I-6). Council board members continue to feel empowered: 90% of them in 2003 and 2006 felt they could influence city government working together.

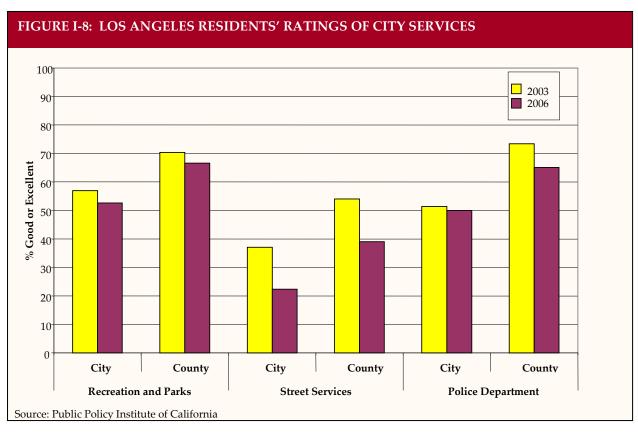
But this improvement does not appear to be due to better government performance. Public Policy Institute of California surveys from 2003 to 2005 find that citizen perceptions of the ability of the City to solve problems increased only marginally and remained consistently lower than the ratings for other cities in Los Angeles County, as seen in Figure I-7. When residents are asked about particular services, the responses are similar (Figure I-8). Satisfaction with service delivery (with the exception of the Los Angeles Police Department) declined between 2003 and 2005, and remained consistently lower than other Los Angeles County cities. And finally, after five years of experience with neighborhood councils, Angelenos are distinctly less confident that neighborhood councils have a positive impact on the governance of the city (Figure I-9).

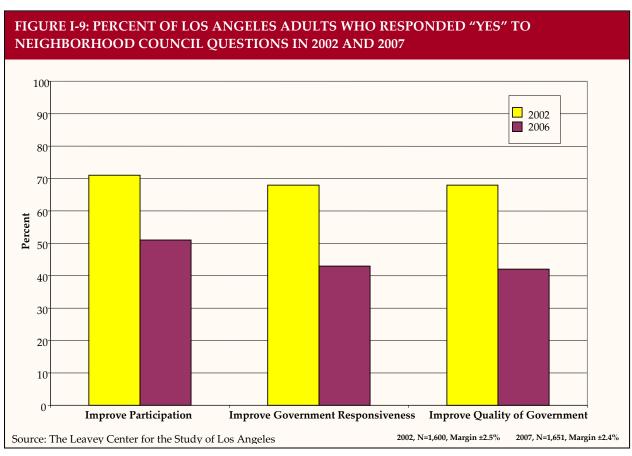
In sum, the capacity of councils to work on behalf of their communities appears to be growing, but varies across the city. While the limited attitudinal evidence we can bring to bear does not suggest a strengthened civic culture in Los Angeles , it is important to acknowledge that civic attitudes are slow to change and difficult to measure.

We next turn to the elements of the system that are critical to an effective neighborhood council system: representative legitimacy, innovations that engage and empower neighborhood councils, and the fostering of capacity for neighborhood councils to act on behalf of their constituent communities.









II. REPRESENTATIVE LEGITIMACY: DEMOCRATIC FOUNDATIONS OF THE SYSTEM

number of provisions of the City Charter and various ordinances seek to ensure the representative legitimacy neighborhood councils. A stated purpose of neighborhood councils in Section 900 of the Charter is to "include representatives of the many diverse interests in communities." Section 906 requires that neighborhood council bylaws must include "assurances that the members of the neighborhood council reflect the diverse interests within their area," as well as "guarantees that all meetings will be open and public, and permit, to the extent feasible, every stakeholder participate in the conduct of business, deliberation and decision-making." What has been less clear from the onset is what it means to represent and reflect "diverse interests" within a neighborhood council area. As Figure II-1 several conceptions suggests, there are of representation applicable that to neighborhood councils in Los Angeles.

To date, enormous attention has focused on formal and descriptive aspects of neighborhood council representation, with relatively little attention to participatory and substantive forms of representation. Implicit in this approach is an apparent "top-down" logic that suggests that focusing on formal representative measures such as fair elections, open meetings, and grievance procedures will encourage descriptive representation, and that a board that mirrors the socioeconomic or cultural profile of a community will necessarily represent the substantive interests of the community. Yet this relationship is not entirely clear. While some studies do suggest that organizations that are descriptively representative of their constituents also tend to be more substantively representative, others find that even descriptively representative boards may stray from representing the broad-based interests of communities.

In the case of neighborhood councils, operative question is arguably: Can descriptively non-representative board substantively representative? Our research suggests that they can. However, we argue that a "bottom-up" focus that emphasizes diverse pathways to direct participation is necessary to the robustness of substantive insure representation. An analysis of the bylaws of 40 neighborhood councils revealed that the level of participatory access to neighborhood council activities varied across councils. Some councils are relatively open to participation by their general membership-allowing members to organize and sit on committees and to speak at Board meetings-while others appear have duplicated the bureaucratic style of City Hall, in which committee membership is limited to Board members and public comment at meetings is constrained by time limits and submission of speaker cards.

Evolution of Descriptive Representation

significant challenge to descriptive representation is the well-established finding that higher-income residents are more likely to be politically engaged across all forms voluntarism. Figure II-2 displays data from the American Participation Survey, which shows that, in general, the income bias is greatest in the category of attending local meetings. This suggests that neighborhood councils are among the civic and political entities least likely to achieve descriptive representation. certainly true of the neighborhood council system, which has a high concentration of individuals who are white, upper-income, highly educated, and homeowners. Moreover the system has experienced little evolution in the demographic profile of neighborhood council boards between our first survey in 2003 and the second in 2006.4

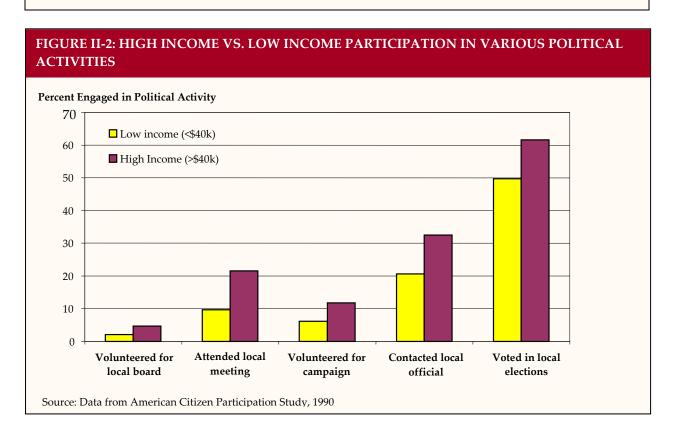
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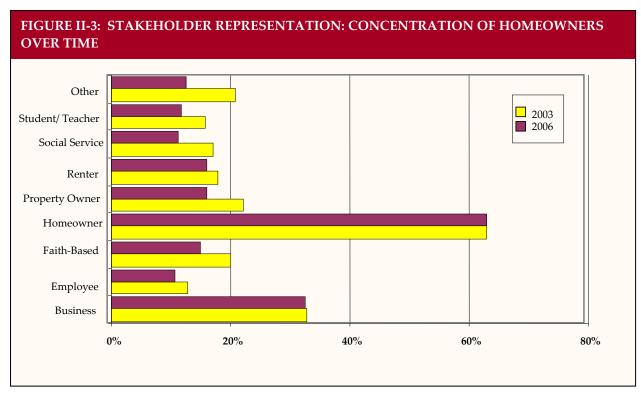
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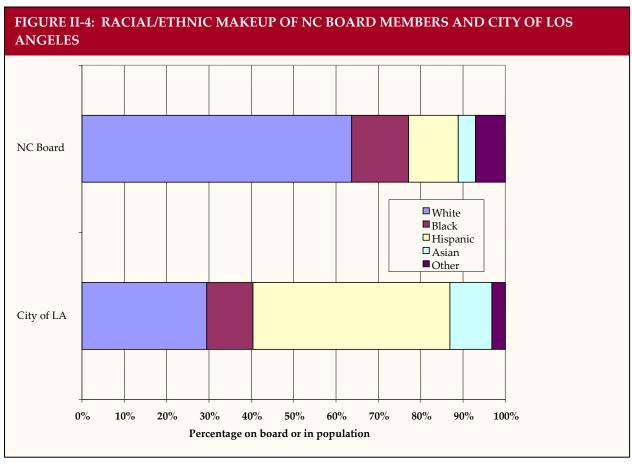
⁴ Unless otherwise indicated, data compares responses from 41 neighborhood council boards surveyed in 2003 with 86 boards surveyed in 2006. Los Angeles City figures are from the 2000 U.S. Census.

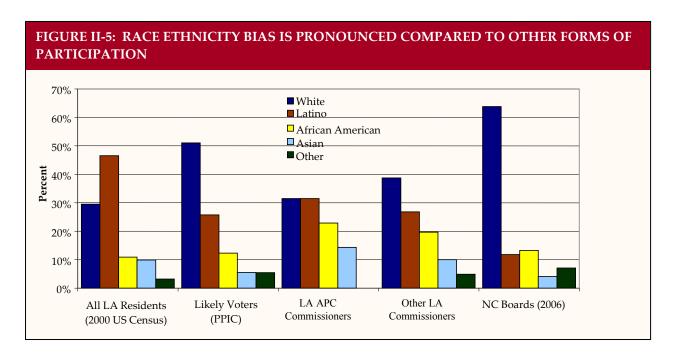
Concept of Representation	Definition	Example(s)
Substantive representation	"Acting for" various group interests in a manner responsive to them; congruence of interests between representative and represented	An agenda contains issues that are of interest to stakeholders within the community
Formal representation	Formal arrangements to ensure accountability and legitimacy of representatives	Fair elections; open meetings; recall or grievance procedures
Descriptive representation	Leaders mirror or reflect politically relevant characteristics of constituents	Percentage of substantive stakeholders o cultural groups on board (e.g., representation of renters; businesses; Latinos).
Participatory representation	Organization provides opportunities for direct participation of stakeholders in NC activities	Direct involvement of stakeholders in committees, multi-way communication channels; town hall meetings, etc.

Source: Adapted from Guo and Musso (2007), "Representation in Nonprofit and Voluntary Organizations: A Conceptual Framework, Nonprofit and Voluntary Sector Quarterly, 36,2 pp. 308-326.









Homeowners continue to be the major stakeholder group within the composition of neighborhood council boards (Figure II-3). Allowed multiple responses, 63% of Board members identified themselves as homeowners in both 2003 and 2006. Meanwhile, the survey showed declining identification with all other stakeholder groups except business, which increased slightly to 32%. Asked to identify their primary stakeholder affiliation, half of respondents identified themselves as homeowners.

The racial and ethnic composition neighborhood council boards does not mirror that of Los Angeles residents. As Figure II-4 indicates, whites continue to make up the greatest share board membership, while Asians and Hispanics continue to be under-represented in proportion to their share of the city's population. The disproportion in racial/ethnic representation increased somewhat from 2003 to 2006. The race/ethnicity bias among neighborhood council board membership is still more pronounced when council boards are compared to the leadership of Area Plan Commissions and other boards and

commissions in the City, positions that are appointed by the Mayor (Figure II-5).⁵

However, it is important to note that the racial/ethnic profile of Boards varies widely across the city. When representation is measured in proportion to racial/ethnic share of the regional population we see that people of color are better represented in areas of the city with higher concentrations of non-whites. For example, African Americans are more highly represented in the North Valley and West, South, and Central areas of the city. Representation of Asians is particularly concentrated in the South. Latinos are underrepresented across all areas of the city, but are more strongly represented in East and West Los Angeles than elsewhere.

The overall picture is one of "elite" dominated boards, with high-income residents over-represented compared to LA City residents as a whole. A dramatically disproportionate percentage of board members have household

⁵ Note that while other volunteer commissioners may be more ethnically diverse, it is likely that they are not representative with respect to socioeconomic status. We do not have data regarding commissioners' income level.

income in excess of \$100,000 per year, 41% as compared to 14% of Los Angeles residents. The percentage of members who reported household incomes of less than \$20,000 is only 3.7%, compared to 28% among Los Angeles residents as a whole. Along the educational attainment dimension, we again see an inverse pattern between neighborhood council board members and Los Angeles residents. Residents at large are much more likely to have less than a high school education, and Board members are more likely to be post-graduate than either residents or likely voters. These disparities increased between 2003 and 2006.

There is also a continued gap in board representation between those who have long-established roots in their neighborhood and relative newcomers. Although nearly half the city's residents have lived in Los Angeles five or fewer years, nearly half of neighborhood council board members surveyed in 2006 lived in their neighborhoods for 20 years or longer.

Substantive Representation

Not surprisingly, neighborhood councils' policy concerns continue to center around a local quality-of-life agenda. In both 2003 and 2006, identified Board members public safety, transportation, and land use as the issues of greatest importance to them (Figure II-6). Los Angeles residents similarly highlighted a strong concern for public safety, but were much more to be concerned about education. Neither council boards nor the public express strong concerns about the economy, environmental quality, health and welfare, or housing, suggesting that these issues are better addressed at a higher level of jurisdiction than the community.

An analysis of neighborhood council agendas shows that the substantive work of the councils is somewhat different from the concerns identified in surveys of board members and the general public. Land use figures prominently in the Board's discussions, as do community-assistance and beautification activities. Notably, public

safety items are less prominent on board agendas relative to other areas of concern.

Summary of Findings on Representative Legitimacy

Eight years after the inception of the neighborhood council system, council boards fail to reflect the rich socio-economic diversity that characterizes Los Angeles. On the whole, board members are significantly whiter, more highly educated, and more rooted in their communities than the rest of the Los Angeles populace.

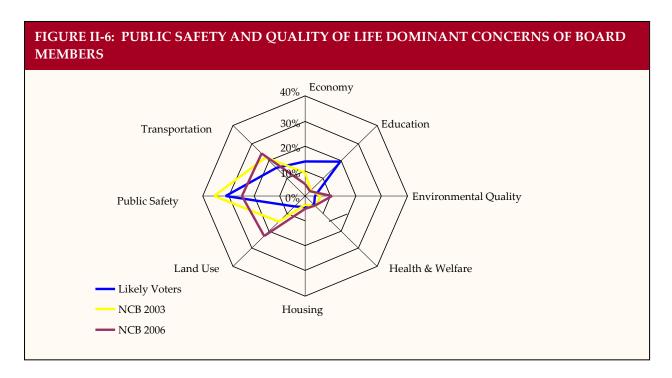
Yet we argue that a narrowly defined emphasis on descriptive representation is misplaced. Indeed, empirical research suggests that striving for boards that "look like" Los Angeles places an unrealistic demand on the neighborhood council system. Rather, the goal should be neighborhood governance structures that "act for" the community in addressing issues that are of concern to stakeholders. To accomplish this requires more attention to participation of stakeholders in an array of council activities.

Some neighborhood councils responded to the charter's call for diverse representation by adopting formal governance for stakeholder composition of their boards. For example, a number of neighborhood councils designated seats for particular stakeholders, or elect board members by geographic district. These alternatives to at-large elections, such as districtbased seats or seats designated for specific stakeholder groups generally did not increase minority representation on boards.6 By contrast, participatory mechanisms and measures that would increase the connections of elected boards to stakeholders have been virtually ignored by both neighborhood councils and the City.

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⁶ For more detail, see Kyu-Nahm Jun, *The Democratic Legitimacy of Community Associations: Los Angeles Neighborhood Councils in Context*, USC dissertation, 2005, and Jun and Musso, Explaining Minority Representation in Place-Based Associations: Los Angeles Neighborhood Councils in Context, forthcoming in the *Journal of Civil Society*.



"Action committee" structures that allow stakeholders to form and disband committees as the need arises as well as meeting arrangements that encourage informal exchanges between board members and stakeholders are examples of more participatory approaches.

The other issue is that neighborhood councils—and the City—frequently use impersonal and broad-based outreach techniques such as fliers and internet messaging. In contrast, community organizers find that face-to-face invitation and involvement in specific projects are required to motivate busy individuals to become involved in volunteer activities. Such targeted invitations are particularly important for groups that have limited resources, such as the lower-income stakeholders who presently are under-involved with neighborhood councils. Some options for increasing participatory representation include:

• Targeted organizing around specific projects, rather than generalized outreach, to encourage members of underrepresented groups to become involved with the Council;

- City incentives (targeted or in-kind grants) for projects where neighborhood councils can demonstrate that they involve underrepresented stakeholders in activities;
- Identifying and sharing "best practices" for targeted community organizing across neighborhood councils.

To date, much of the responsibility incorporating diversity has fallen to neighborhood councils themselves. Yet outreach and community organizing and outreach are demanding tasks; indeed in our neighborhood council board members identified them as their single greatest challenge. Hence we advocate that moving forward, the City provide greater resource support for development of participative and substantively representative neighborhood councils.

Specifically, we suggest that the City assume responsibility for running neighborhood council elections to ensure formal legitimacy and relieve overburdened councils. The City also can achieve economies of scale in broad-based outreach and advertising. This would free neighborhood

councils to focus on targeted community organizing with the goal of increasing diversity of participation in the system. We further recommend that the City provide technical assistance and incentives to encourage neighborhood councils to invest in such community organizing activities.

III. EMPOWERMENT INNOVATIONS: PARTICIPATORY ARENAS FOR NEIGHBORHOOD COUNCILS

his section of the report considers the extent to which the City of Los Angeles has implemented Charter provisions intended to empower neighborhood councils in city governance. The Charter contained five provisions that required the City to provide channels for neighborhood council involvement, including participation in the city budget process, relations with city offices and departments, support for a Congress of Neighborhood Councils, and the establishment of an Early Notification System.

Studies of successful neighborhood councils in other cities have emphasized the importance of political innovations to support engagement of councils with the City. Thus the Neighborhood Council system in Los Angeles comprises not only the 86 certified neighborhood councils but also institutional reforms that create participatory opportunities for neighborhood councils. Figure III-1 summarizes the institutional targets of the provisions contained in the Charter, the intent of each provision, and the current status of implementation. The remainder of this section discusses the City's accomplishments with respect to four of these five these empowerment provisions. We do not discuss the Charter provision related to delegated hearings (section 908) in detail because there has been no action to implement this provision.

The Congress of Neighborhoods

Section 901c of the Charter requires DONE to "arrange Congress of Neighborhoods meetings if requested to do so by recognized neighborhood councils." The apparent intent was to promote neighborhood council orientation to citywide issues, reduce parochialism, and create a sense of citywide collectivity. The implementing language

in the Plan for a citywide system of neighborhood councils stipulates a more directive role for the Department of Neighborhood Empowerment to "coordinate, arrange, and convene biannual Congress of Neighborhood Councils meetings." Meetings of the Congress of Neighborhoods as organized by DONE have primarily functioned as opportunities for information dissemination and provision of training and technical assistance to neighborhood councils rather than deliberative forums.

Beginning in 2004, there was increased attention to the idea of developing a Congress that would function as a deliberative forum. In October 2004, the USC Collaborative Learning Project sponsored a facilitated meeting to discuss the idea of a deliberative congress. The neighborhood council representatives in attendance agreed on the need for a deliberative body. Subsequently, a coalition of neighborhood council members created a working group that operated independently of USC. In February of 2006, the working group elected an interim chair and inaugurated the Los Neighborhood Council Angeles Congress (LANCC). The following July LANCC voted to approve a form and mission that patterns LANCC loosely on the US Congress: a 'general assembly' bring issues to the attention of the 'senate.' LANCC also established a provision that allowed it to take position votes with input from individual neighborhood councils. To date 40 neighborhood councils have voted to affiliate.

Since its establishment, the organization has turned away from taking issue positions, and instead serves as a forum in which neighborhood leaders discuss broader strategic objectives. In November of 2006, for example, the LANCC was a forum for organizing resistance to Measure R, the term limits/ethics reform proposal. Although Measure R made it to the ballot and was passed by voters, LANCC leaders term their efforts a qualified success for influencing the policy debate.

⁷ Charter for the City of Los Angeles, Article IX, Sec. 901 (c).

Institutional Target	Charter Provision	Status
Creation of networking and deliberation opportunities to orient NCs toward citywide issues, reduce parochialism, and create a sense of belonging to the larger City of Los Angeles.	City will provide support for a citywide Congress of Neighborhoods (Section 901c)	 ⇒ The DONE organizes a Congress of Neighborhoods that functions primarily for technical assistance and networking ⇒ A coalition of NCs created the Los Angeles Neighborhood Council Congress as a deliberative forum to discuss citywide issues
Public involvement in decision making by City Council, boards, and commissions requires timely information. Prior charter reform public notification occurred only 72 hours in advance, through physical posting at hearing venue (typically downtown).	"Early Warning System" to notify neighborhood of pending city decisions with "reasonable opportunity to provide input." (Section 907)	 ⇒ City provides automated distribution of agendas, a significant innovation ⇒ Agendas are distributed only 72 hours prior to meeting, no earlier than before ⇒ Some departments are providing earlier notification and better information ⇒ Need to make system more user-friendly, and provide earlier notification of issues
City Council deliberations are centralized in downtown Los Angeles and distant from community stakeholders	City Council may delegate hearing authority to neighborhood councils on matters of local concern. (Section 908)	⇒ No action by City.
Prior to charter reform public involvement in budgeting occurred in public hearings by City Council, after decisions had already been made.	Neighborhood councils may make budget requests to Mayor (Section 909)	 ⇒ A regional budgeting process has been in place since the 2004/5 budget ⇒ The process elicits only general information about NC board priorities ⇒ There is a need to systematize NC influence over specific arenas, such as capital budgeting
Service delivery is simultaneously centralized downtown and fragmented between numerous city departments. Community members have difficulty knowing who to contact with service needs or complaints.	Neighborhood councils will monitor service delivery and meet periodically with responsible officials. (Section 910)	 ⇒ City has not adopted consistent policies for feedback on service delivery ⇒ There have been some efforts at developing memoranda of understanding between NCs and individual departments ⇒ There is a need to develop more systematic channels for interaction between NCs and departments

Under the leadership of its present chairman, Brady Westwater, position-taking has been set aside in favor of a technical assistance orientation. For example, LANCC has recruited former department officials to advise neighborhoods on policy issues (such as transportation) and focused on facilitating issue-oriented sessions at the DONE-sponsored Congress of Neighborhoods.

It is interesting that both the City-sponsored Congress and the neighborhood council's selforganized LANCC now focus primarily on technical assistance and information provision. This is in no small part due to differences in among philosophy neighborhood members. While some activists would seek broader influence over city decisions, others the appropriate neighborhood councils should be on the local community, or are hesitant to relinquish their advisory powers to a citywide representative body.

Early Notification System.8

Charter Section 907 mandates an "Early Warning (subsequently renamed the Notification System) that would notify neighborhood councils "as soon as practical" of pending city decisions and provide them with a "reasonable opportunity to provide input." The goal was to address information gaps that often prevent community members from getting involved in city policy. The system debuted in July 2001 as a web page from which individuals may subscribe to receive official notices via email. In February 2003 the City Council adopted a system for "community impact statements," whereby the official view of neighborhood councils will be part of the official agenda of city policy bodies, and a full statement will be made

part of the permanent record. The ENS has made significant improvements in information access. Prior to establishment of the system, the City Clerk distributed agenda information to about 800 on-line users. Since the advent of the ENS, distribution of information on City Council activities has blossomed to tens of thousands of recipients. It is heavily used by City Hall insiders, but about 60% of the subscriptions are from outsiders. The range of available information has expanded to include the activities of dozens of boards and commissions not previously available on the City Clerk's system. The use of internet-based dissemination is supported by almost three quarters of neighborhood council board members.

Compared to other cities this system is innovative in its use of technology and breadth of available information, but its usefulness is hampered by a number of factors:

- It is not user-friendly. Neighborhood council representatives report having spent over 20 hours per week sorting through notices to find relevant events. While the City had planned to make the system searchable by neighborhood and policy issue, these improvements have yet to be implemented.
- It is not early. Notification is not sufficiently in advance of hearings to permit neighborhood councils to provide meaningful input. Because councils must agendize and discuss issues prior to taking an official position, the usual monthly meeting cycle precludes a rapid response. During the Charter reform process, ENS proponents envisioned early notification to provide 30- or 45-day notice periods. During the implementation process, however, advance notice has been defined in terms of California's open meetings law, the Brown Act, which only requires posting of agendas 72 hours prior to public meetings.

TOWARD COMMUNITY ENGAGEMENT IN CITY GOVERNANCE

⁸ For additional details, see Musso, Weare, Cooper et. al., "Neighborhood Councils in Los Angeles; A Midterm Status Report, available from the authors. Also see Musso and Weare, "Implementing Early Notification in Los Angeles: Citizen Participation by Other Means," *International Journal of Public Administration*, Vol. 29, July 2005.

⁹ Harrison Sheppard, "Neighborhood Council Opinions Will Weigh More," *Daily News*, February 13, 2003.

• It is necessary but insufficient to foster community involvement in city governance. City government and departments have not embraced the spirit of collaboration that would provide a place for neighborhood council input early in the decision-making process. Without such proactive reforms to city policy-making routines, technological innovation cannot assure community consultation. Due to these limitations, system usage is declining and board members express much less confidence in its importance.

Some improvements to early notification continue to be implemented. The Department of Planning has distributed biweekly reports to neighborhood councils on new applications and has recently begun to distribute actual applications well in advance of decision points. The Department of Water and Power has entered into memorandum of understanding with neighborhood councils that clarifies notification requirements, sets a more useful goal of 90 days notice, and provides more background information with these notices. The City should build on these initiatives, but continued progress will require a sustained dialogue between the City and neighborhood councils.

Participation in City Budget Process¹⁰

Charter Section 909 authorizes neighborhood councils to make budget requests to the Mayor, and requires the Mayor to inform councils of the deadline for submitting such requests so that they may be heard in a timely fashion. The goal is to provide greater community involvement in a budgeting process that previously was shrouded from the public until the final stage, when City Council voted on a budget that had largely been negotiated between the Mayor's office and departments in advance. However, neither the Neighborhood Council Plan nor any

implementing ordinances provided direction on implementation of the budgetary process, leaving administration of participatory budgeting to the discretion of the Mayor's office.

What has evolved is a regional deliberation process that involves neighborhood councils in providing input on broad service priorities.¹¹ In general outline:

- The Mayor holds a Budget Day in which neighborhood councils are oriented to the annual mayoral priorities and the technical aspects of creating the annual budget.
- The participating neighborhood councils discuss and decide community budgetary priorities in a public meeting.
- Each neighborhood council is invited to send two representatives to a regional caucus (one for each of the city's seven regions) to discuss neighborhood priorities.
- Each of the seven regions then selects two representatives to meet with the Mayor and discuss regional priorities.
- The regional representatives are expected to report back to neighborhood councils in the region about the outcome of the budget process.

On its face, the Mayor's budget process embodies several design features that are central to successful participation. First, the City generally provides information to neighborhood councils, including in recent years a *Neighborhood Budget Summary* that discusses revenue, appropriations, and capital expenditures. Second, there has been an attempt to collect systematic information regarding neighborhoods' budget preferences (in some years, from stakeholders, in some, from neighborhood council board members). Third,

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¹⁰ For more information see Juliet Musso, Mark Elliot, Michael Sithole, and Chris Weare, "Implementing participatory budgeting: The case of Los Angeles," working paper available from the authors.

 $^{^{\}rm 11}$ The authors provided input to the City on this process, including a policy briefing recommending use of a regional panel approach.

there is an opportunity for regional deliberation and direct citizen input by regional delegates.

On the positive side, the process has brought many stakeholders to the table that had not previously participated in the policy process. Requiring stakeholders to administer (and citizen survey answer) a has reminded neighborhood activists that outreach education are important aspects of policy-making. The process is limited, however, by issues related character of neighborhood council to the difficulties providing representation, of appropriate information, and the challenges of structuring deliberation that leads to meaningful and actionable outcomes.

Issues of representation. Participation in the budget process has varied substantially over time, but a number of councils regularly decline to be involved. For example, the FY 2005-2006 Priority Based Budgeting process involved only 46 of the 82 neighborhood councils certified at the time across the city. Moreover, given the elite biases in participation discussed above, it is not clear that neighborhood councils can speak authoritatively on community fiscal preferences.

Issues of information. Both city officials and neighborhood stakeholders have identified gaps in stakeholders' understanding about the budget process. One respondent noted that neighborhood councils must learn to rationalize needs and make budgetary justifications or else requests from neighborhood councils are simply inactionable "wish lists." Other neighborhood activists have called for selective information that will help them understand which areas of the budget are open to influence.

Issues of deliberation. It is not clear that neighborhood councils generally engage community members in deliberation regarding the budget. Regional deliberation is also hampered by vague or conflicting expectations regarding the process. Moreover, the current

 $^{\rm 12}$ Interview with Respondent 201, June 24, 2002.

regional process is too removed from the real politics of city budgeting. Some neighborhood council leaders have expressed defeatism about the extent to which they can be involved meaningfully. Others seek the ability to "take apart" the budget, and advise on fundamental reforms, arguably not a feasible expectation given the generally incremental nature of budgetary decision making.

The Mayor's office continues to meet informally with a working group of regional budget delegates to discuss future reforms to the system, though a formal working group formed for that purpose appears no longer to meet. We would suggest that the following principles for participatory budgeting be the basis for reforms to the Mayor's budget process:¹³

- The deliberative process should lead to actionable recommendations. In other words, an arena for budgetary recommendations should seek neighborhood council advice on specific matters where implementation is feasible rather than on the citywide budget or general priorities. For example many cities involve their neighborhood councils in advising capital budget decisions related to community improvement.
- The process should be structured to integrate data about preferences from a broadly representative survey of the general public. The City rather than neighborhood councils, should be responsible for implementing this stakeholder survey.
- Neighborhood councils should be provided the survey information for purposes of outreach

¹³ These recommendations are informed by the literature on policy and budgetary participation, including Renn, Ortwin, Thomas Webler, Horst Rakel, Peter Dienel and Branden Johnson, (1993) "Public participation in decision making: A three-step procedure," *Policy Sciences* 26(189-214); Simonsen, Bill and Mark D. Robbins. 1999. *Citizen Participation in Resource Allocation*. Boulder, CO: Westview Press; Ebdon, Carol (2000). "The Relationship Between Citizen Involvement in the Budget Process and City Structure and Culture," *Public Productivity and Management Review* 23(3) 383-393.

and agenda-setting, as well as receive comprehensible information regarding the budget process, real opportunities for influencing city fiscal priorities, and the political context of Mayoral policy priorities.

 Neighborhood councils should be encouraged (if not required) to involve community stakeholders in a town hall-style discussion of their budgetary deliberations. This could be accomplished through creation of neighborhood council budget committees charged with outreach and public deliberation tasks.

Relations with City Departments¹⁴

Charter Section 909 states that neighborhood councils shall monitor the delivery of city services in their respective areas and meet periodically with city department officials. The goal of this provision is to increase communication and coordination among the neighborhoods and city service departments. This requirement has not been implemented systematically by the City, with the effect that departmental coordination with neighborhood councils varies substantially throughout the city.

While systematic citywide implementation of Section 909 has not occurred, several experiments developing neighborhood council involvement with city services have emerged through university-community partnerships and grassroots organizing. For example, USC's Collaborative Learning Project's Learning and Design Forums facilitated the development of a memorandum of understanding (MOU) between four South Valley neighborhood councils and the Department of Public Works concerning the delivery of street services. Subsequent forums brought the Department of Cultural Affairs and the Department of Transportation together with councils to discuss cultural programming and transportation policy, respectively. Moreover, neighborhood activists mobilized support for a citywide MOU that was established in 2005 with the Department of Water and Power in response to the controversy surrounding a proposed 18% rate hike in 2004. The 15-page MOU contains several provisions favorable to neighborhood councils, including a departmental liaison for neighborhood councils, advance notification of significant matters, education on departmental issues, and regular meetings regarding service delivery. Nearly half of the city's neighborhood councils are signatories to the agreement and are represented on a taskforce to oversee it.

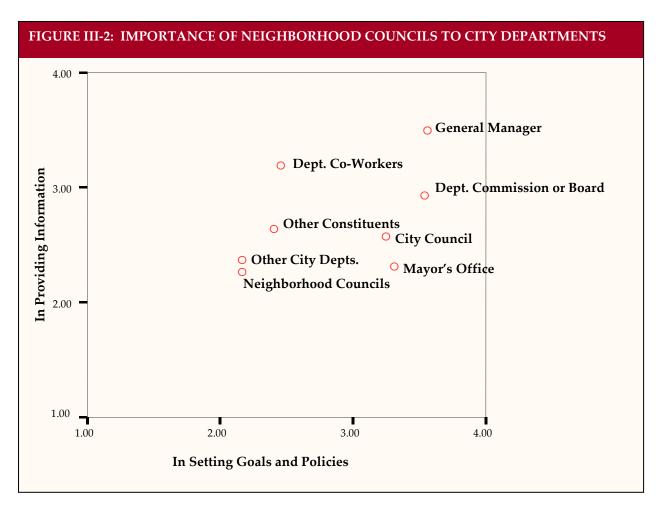
City departments vary concerning their relationships with neighborhood councils. In addition to the MOU discussed above, the DWP sends a liaison to citywide meetings of neighborhood councils. The Department of City Planning has also recognized that neighborhood councils are important representative bodies. Yet our interviews with 17 departmental liaisons to neighborhood councils in 2005 suggest that the neighborhood council system has not altered considerably the day-to-day operations of most city departments.

While departmental officials perceive that many councils have become more savvy in working with the city, a perceived lack of representative legitimacy seems to hinder council influence. Rather than viewing councils as an official part of the city service delivery system, departmental staff members appear to view them as only one in a crowded field of service constituents. In a survey of city department staff, neighborhood councils ranked last in importance to city departments in setting departmental goals and policies and in providing important information to departments (Figure III-2). These rankings suggest that there is a strong need for a more formalized system of departmental interaction that can promote the value of community connections to city department activities and service delivery.

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¹⁴ For more information see Jun, Weare, and Shiau,

[&]quot;Determinants of department responsiveness as a local government performance measure: The case of the Los Angeles neighborhood council system," working paper available from the authors.



Source: Survey of 154 line administrators from the Los Angeles Police Department, Los Angeles Public Library, Dept. of Public Works and the Los Angeles Dept. of City Planning in 2006.

IV. DEVELOPING NEIGHBORHOOD COUNCIL CAPACITY

apacity to address problems in the neighborhood council context means effectively marshalling individual and collective energies to identify problems, access resources, and take action. As in many voluntary organizations, personal relationships and networks of engagement allow volunteers to leverage resources inside and outside the community for these purposes. Yet outcomes are only one indication of capacity. Others include operational efficiency, the extent to which the organization's leadership is representative of the broader interests of the community, and numerous other factors.

This section examines community capacity in the neighborhood council system as suggested by neighborhood council activities and participants' observations. It assesses the types of activities councils are pursuing according to general meeting agendas; what they have accomplished as described by board members and other observers; and, through surveys of participants, the extent to which councils have been able to tap resources and solve problems. Finally we offer brief examples of citywide policy effects that suggest achievements in capacity-building.

There appears to have been a slight drop in participation in neighborhood council activities between our midterm report and this writing. The DONE project coordinators reported in our 2006 survey that 22 stakeholders on average attended meetings (down from about 26 in 2003). Though hot-button issues attract over 100 stakeholders, general meetings more often attract only a few stakeholders. Still more

¹⁵ Our own fieldwork also shows that meeting attendance has not significantly declined or increased over that time. We found from attending approximately 175 neighborhood council general meetings (across all regions since mid-2002) that only 20 stakeholders attended a general meetings on average – barely one-third more than the number of board members attending.

worrisome is an observed decrease across the system in the number of councils that were able to attract stakeholders to participate in committee work. According to project coordinators, only 42% of councils were able to count stakeholders as regular committee members or chairs, down from 47% in 2003.

Neighborhood Council Agenda Activity

Neighborhood councils differ from other participatory entities, such as citizen panels charged with a specific task, or residents' associations, which involve a relatively homogenous membership and a limited agenda. To gain an accurate idea of what neighborhood councils are actually discussing, we coded the content of agendas from 43 certified councils that were active over a three-year period. Agendas show how councils spend time and suggest how they may allocate their resources.

Non-Issue Activities. Our agenda analysis finds boards devoting fully two-thirds of their energies to internal operations (Figure IV-1). Internal operations include attention to procedures and bylaws changes, managing committees, and appointing officers. We view these non-issue activities as the 'overhead' of neighborhood council operations. While the City Council has paid staff to handle operations, volunteers undertake this responsibility in neighborhood councils. The second most common area of non-issue activity is government relations (26%) followed by community relations and events, which jointly account for 17% of non-issue agenda items.

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¹⁶ Requested agendas for monthly meetings were selected randomly from each quarter for which the council was meeting in the three years prior to collection efforts in mid-2006. We received every agenda requested from only 15 neighborhood councils; for 28 others we were able to gain most of the requested agendas by request or via the council website. A total of 410 of the requested 794 agendas were received. We were unable to secure any agendas from 19 additional certified councils despite multiple attempts.

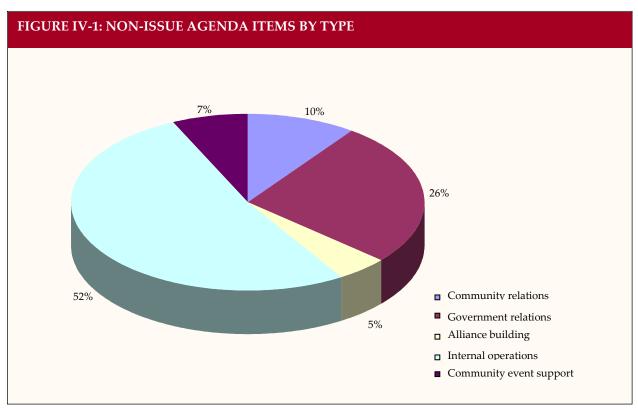
This distribution of agenda items hints at the capacity types of building activities neighborhood councils are engaging. Relationships with City Council office staff and department administrators develop councils' capacity to oversee service delivery, while community relations and involvement in events develop networks within the community. Networking between and among neighborhood councils is an area where there is little agenda activity, an interesting finding considering that board member survey data suggests an increase in inter-council connections. It may be that these types of relationships are developed at the individual level and do not involve official actions of the Board.

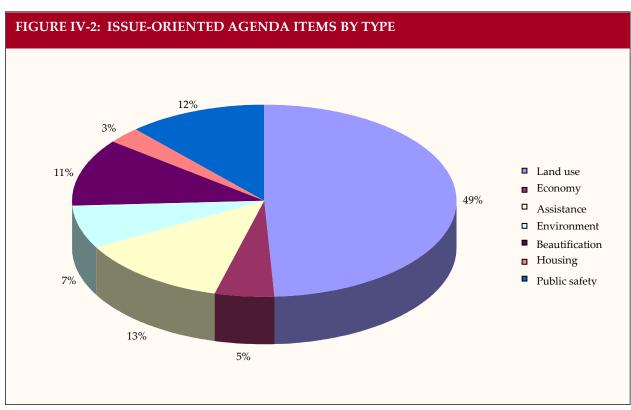
Issue Activities. Despite a necessary occupation with internal operations and government and community relations, councils manage to address issues at a variety of scales (Figure IV-2). Issue-oriented items account for one-third of all agenda items citywide. Neighborhood councils are involved in a variety of quality-oflife issues at the neighborhood level, as well as addressing regional issues. For example, they are monitoring (and in some cases opposing) port and airport expansion as well as seeking to mitigate the regional environmental effects of waste facilities. Councils are also active on larger issues, such as public financing of campaigns, animal rights advocacy, and homelessness.

Land use and planning (including transportation) together constitute the single most important issue area to councils at 49% of all issue-oriented activities. Activities related to specific discretionary actions, such as requests for zoning changes and other project-level variances, account for nearly half of land use agenda items. These specific project activities comprise a quarter of all issue activities.

Contrary to perceptions that neighborhood councils are reflexively oppositional, not-in-mybackyard- (NIMBY) oriented activities account for only a small fraction (3%) of all land use agenda activities citywide. Indeed after specific projects, transportation-related planning (nearly a third of land use agenda issues) and proactive planning (13%) are most common land use activities.

Assistance (including funding) to local programs comprised 13% of issue-oriented items, followed by beautification at 11% of items, the fourth largest category. Some 12% of council agenda items addressed public safety concerns. Agenda items on the environment were 7% of all issue items, while the economy (clearly an issue of interest beyond the neighborhood) accounted for 5% of issue items.





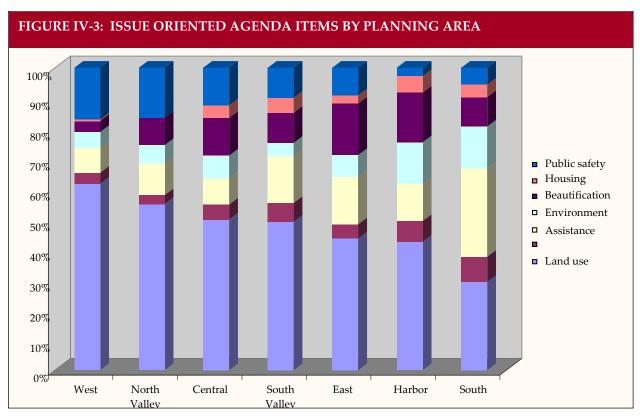
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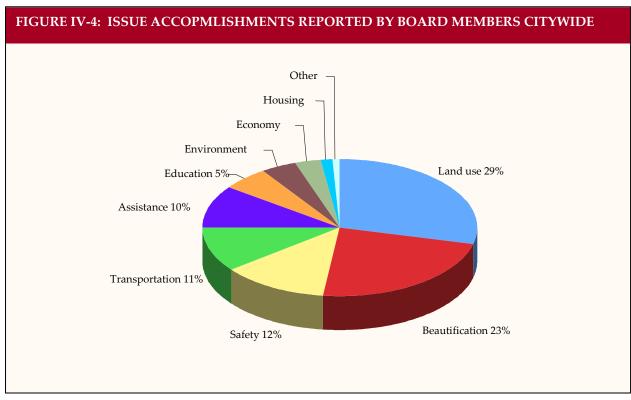
Neighborhood council agendas vary by planning area (Figure IV-3). Land use assumes a larger place on the council agenda in the West and North Valley areas than in the Central and South Valley areas. By contrast, East and Harbor area councils focus more on issues other than land use, such as beautification and larger concerns such as the economy, environmental issues, and community assistance. Agendas from the South Los Angeles focus on social issues and prioritize community assistance to a much greater degree.

Neighborhood Council Accomplishments

While agenda items suggest what neighborhood councils are engaging, items included in surveys of board members and project coordinators asked what councils had actually accomplished. Of 530 respondents to the 2006 board member survey, 470 (89%) reported more than 800 accomplishments. Of these, nearly half (48%) were non-issue operational accomplishments related to community relations and outreach, internal operations, or government relations. Accomplishments related to substantive issues accounted for 52% of reports citywide, and like council agendas, tended to center heavily on quality of life types of activities (Figure IV-4).

Citywide, land use was the single most frequently cited area of accomplishment (29%). Community beautification and transportation were mentioned at 23% and 11% respectively. Other issue accomplishments were safety (12%), assistance to community programs and parks (10%), education (5%), environment (4%), and accomplishments related to the economy (3%), such as influencing utility rates or helping businesses. The focus reported accomplishments varies across regions, with transportation getting heavy mention in the West region, environmental and accomplishments noted more in the Harbor. Regionally, the South Valley shows the most accomplishments in land use and community beautification.





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Local and Citywide Influence. When asked about neighborhood councils' local effects, project coordinators noted 89 specific accomplishments (across 51 councils) that helped to improve the community (Figure IV-5). Accomplishments fell into two general categories: improvements in the physical environment and outreach. Assistance and event participation comprised just under onethird of outreach-related accomplishments. Efforts such as trash pick-ups and tree planting suggest how these categories may overlap, however, while larger social accomplishments, such as fighting gang activity, were mentioned as other achievements but don't neatly fit into any particular category. Nearly 60% of councils were viewed as having a positive effect on the neighborhood-a view unchanged from our 2003 survey.

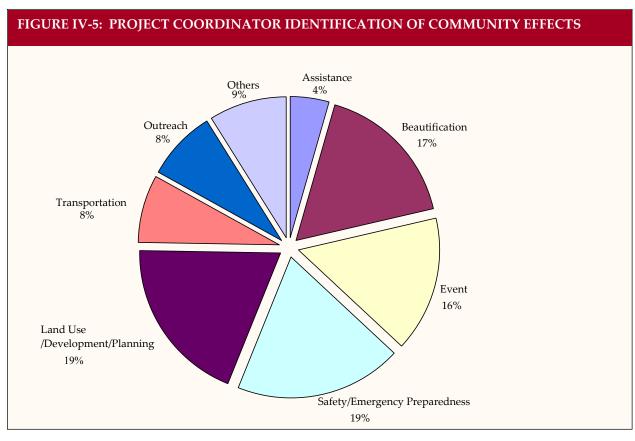
DONE project coordinators in 2006 cited 38 examples (attributed to 25 councils) of positive citywide effects. Most frequently mentioned were land use and safety/preparedness, which together accounted for nearly two-thirds of observed effects (Figure IV-6). Success in opposing the DWP rate increase in 2004 was the most frequently cited economic effect, however, which confirms some board members' views that the agreement should be a model for department oversight.

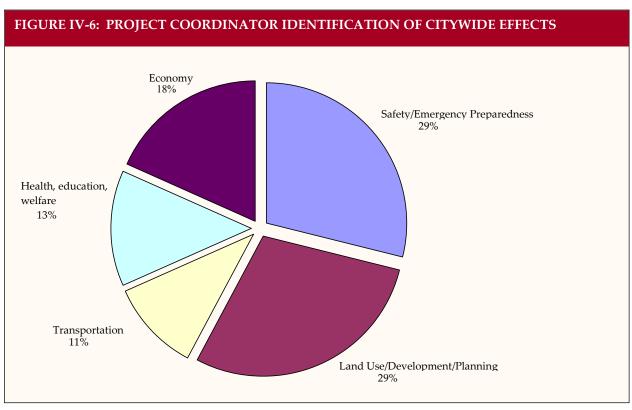
Political Influence Is a Mixed Picture. We followed up on our survey of project coordinators with interviews to gain qualitative insight from their perspective on the extent to which councils have a political effect. Project coordinators who mentioned political influence said that influence appeared to increase as a result of neighborhood councils. Many of those who mentioned political support said that they thought the Mayor's Office has come to support the system. Yet project coordinators also thought that City Council offices were less likely to support councils. This mixed finding may reflect the different role played by executive and representative leadership. Because the City Council has historically been the channel through which stakeholders field complaints and receive services, the position of the new system of neighborhood councils in metropolitan governance in Los Angeles may complicate elected representatives' views.

The posture of the City Council toward neighborhood councils is also likely a function of political considerations. As elected officials, council members must take into account the representative legitimacy and credibility of council boards, but nearly half of the project coordinators in interviews said they thought that boards did not do a good enough job reflecting the issues that stakeholders care about (land use issues were an exception). This suggests an uphill battle for cementing the political influence of neighborhood councils within city government by local leaders.

Alliances also can be a key to marshaling political power. But Project Coordinators did not indicate that they were viewed alliances as particularly helpful to councils in the political arena. Few Project Coordinators mentioned the role of citywide alliances as forums for political mobilization or any other function, for example, and those who did were only slightly more likely to view them positively.

An important objective of Charter reform is to improve representativeness and increase local empowerment. The Neighborhood Council Plan assigns to DONE the responsibility of mitigating barriers to political participation in part by providing assistance to areas with traditionally low rates of participation. Yet one quarter of project coordinators interviewed thought that the system had actually exacerbated political inequalities. Neighborhood councils can become effective channels for stakeholder voice only if they are able to develop the institutional capacity to function effectively and efficiently and, most importantly, act as a bridge between all stakeholders and City government.





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Challenges to Neighborhood Council Capacity

DONE project coordinators identified an array of challenges that may impede capacity building at the neighborhood council level (Figure IV-7). Challenges related to group processes were cited most frequently by project coordinators on a citywide basis. Project coordinators identified increased internal conflict as a challenge for over a third of councils, up from only a quarter three years earlier. Interviews confirmed that for a significant segment of the councils, an inability to work together productively interfered with the council achieving its goals. Problems included divisiveness, lack of commitment, "rogue" board members, and procedural challenges.

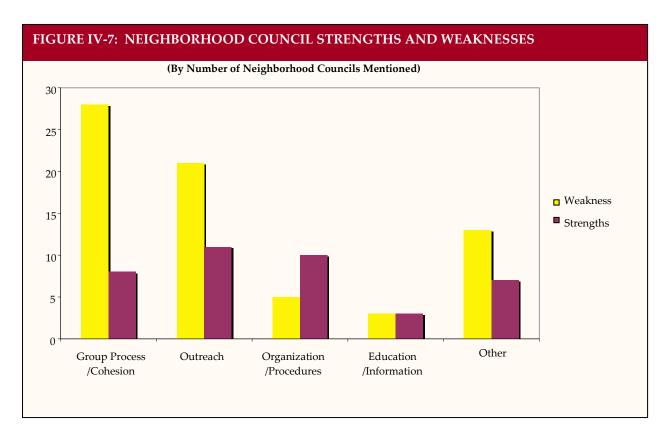
Though the most-publicized cases of public discord appeared to be an anomaly, the perception of conflict could be a factor in depressing stakeholder involvement at meetings. For nearly a third of councils, according to project coordinators, declining stakeholder involvement was a greater challenge in 2006 than earlier (up from less than a quarter of councils in 2003) despite a greater use of community newsletters and increased participation in community events. Low turnout at meetings (and elections) was identified as a problem by board members, too, in both our 2003 and 2006 surveys.

In our 2006 neighborhood council board member survey, in fact, over a third of respondents (37%) indicated that outreach was a continuing challenge to their council. Yet at the same time, nearly one-third identified outreach as an accomplishment of their council. Indeed 63 respondents cited outreach as *both* an accomplishment and a continuing challenge.

While meeting turnout is not necessarily an accurate measure of capacity, an inability to bring stakeholders to meeting has a multiplier effect: it may dampen enthusiasm among fellow elected board members; suggest to elected officials that the system does not function as a credible representation of stakeholder interests; and fail to encourage new people to participate in council activities. Without public participation, moreover, councils forgo volunteer labor that could expand the capacity of the council. Achieving diversity in representation is another key objective of the system, yet board members themselves say that councils are not as representative as they would like. In our survey, representation accounted for nearly 10% of all mentioned challenges.

Other challenges concern institutional contextual) factors that may inhibit council capacity. Project coordinators in interviews overwhelmingly (14 of 19) remarked that Department of Neighborhood Empowerment staffing was below what was required to adequately support the council system, though respondents were divided on whether there was sufficient operational support in the field. It is worth noting that only 20% of identified challenges described by board members in our survey were attributed to city policies. Challenges related to conflict, organization, and vision comprised more than a third of all challenges mentioned by board members.

Lastly, our attendance at meetings and interviews with project coordinators suggest a troubling divide emerging between councils that are able to attract stakeholder interest and those that lose the interest of the public. Board members who specifically said that the board had alienated the public were also less likely to name an accomplishment and sometimes observed that their council was merely 'spinning its wheels.'



Examples of Influence on Policy Making and Service Delivery

While we do not have information to assess the effect that 86 neighborhood councils have had on their communities, we can identify several cases where councils have influenced policy formulation and service delivery by the City. These cases are reflective of neighborhood council capacity to organize for impact. While not always achieving the objectives that leaders identified, there have been some neighborhood council initiatives that have met with qualified success.

Burglar Alarms. The LAPD joined nearly 90 cities in early 2003 to reconsider their burglar alarm response policy in order to reduce the 92% false response rate in Los Angeles. The Police Commission announced a new alarm policy in early 2003 without early notification of the issue, prompting neighborhood council volunteers packed City Council chambers to protest. The neighborhoods found support among several council members, and neighborhood council representatives joined the Burglar Alarm

Taskforce to roll back the policy, which was modified to include task force recommendations in June 2003.

DWP Rate Increase. After 12 years without an increase, the DWP proposed in November of 2003 to increase water and power rates an average of 18% without advance notice. With support of at least three City Councilmembers, neighborhood council gained time to coordinate a campaign in opposition to the policy. Council leaders succeed in gaining resolutions in opposition to the increase from 39 of 83 then-certified councils.

Organized opposition to the proposed rate increase in late 2003 encouraged the City Council to recognize the political costs of failing to notify councils. In early 2004 the City Council balanced neighborhood councils' demands to be included in the decision against the department's warnings of fiscal crisis. Taking a pragmatic approach, the City Council supported a compromise increase of 11%, and ultimately entered into a letter of intent to include neighborhood councils in future decisions.

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Service Co-Production Agreement with Department of Public Works . At the invitation of the USC School of Policy, Planning, Development's Collaborative Learning Project, four South Valley neighborhood councils and the Bureau of Street Services Division of the Department of Public Works committed to a series of four working sessions in the Fall of 2003 to explore opportunities for better cooperation in the delivery of constituent services. The express intent of the USC process was to formalize responsibilities for both participating neighborhoods and the department in terms of communication and knowledge-sharing to deliver services more effectively.

With the support of the Mayor's Office and City Council, a memorandum of understanding was signed in February 2004 (and ultimately recognized by City Council) to provide the four neighborhoods with street assessments, sanitation plans, tree plans, lighting plans, and an engineering report from the Bureau. The agreement also provided for neighborhood opportunities to participate in service delivery decisions. Though follow-through by the four neighborhoods varied, the Bureau was able to develop a model for a neighborhood-based annual service plan. Following on this agreement, Mayor Hahn's office directed that each neighborhood would be allowed to allocate \$100,000 (in existing gas tax revenue) according to Infrastructure Assessment Reports distributed citywide.

Collaborative Policymaking: The DWP-Neighborhood Council MOU & Oversight Committee. The letter of intent signed by the DWP in early 2004 to include a greater voice for neighborhood councils in department policymaking served as a foundation for a memorandum of understanding (MOU) in 2005 that institutionalized a greater neighborhood role department policymaking. Department included earlv responsibilities effective notification to councils (90 days) as well as a greater a role in collaborative policymaking. The MOU, signed by the department and 40 neighborhood councils in April of 2005, demonstrated that effective organizing could open opportunities for neighborhood participation with departments. It suggested the political value of citywide issue organizing through neighborhood councils as a new channel, and is today identified by community leaders as a template for future neighborhood-department relationships.

V. SUMMARY OF FINDINGS AND RECOMMENDATIONS

We find a mixed record of accomplishments in the City's implementation of a neighborhood council system. Specifically:

- (1) While the development of a citywide system is a major accomplishment, the neighborhood councils are not descriptively representative of the social and economic diversity of Los Angeles residents. They are less representative of residents than the population of likely voters or the mix of individuals who serve on Los Angeles boards and commissions.
- (2) Many neighborhood councils struggle with outreach and infighting, which hampers their ability to address community issues, recruit volunteers and develop leaders.
- (3) Neighborhood council board members have created strong citywide networks amongst themselves, creating the ability to mobilize politically. Nevertheless, neighborhood councils remain largely peripheral in citywide policy making and service delivery issues. Moreover they do not appear to be developing strong networks connecting them to neighborhood constituents.
- (4) While some neighborhood councils and city departments have developed arenas for improved participation, overall the City of Los Angeles has not systematically implemented the changes in practice envisioned by the Charter, constraining the effectiveness of neighborhood councils. As such most of their accomplishments are at the local rather than citywide level.

(5) The capacity and activities of NCs vary substantially across the City. Overall, neighborhood councils have focused heavily on land use and transportation issues, though they have also worked on sponsoring community events, beautifying their neighborhoods, and providing community assistance.

To achieve the core goals outlined neighborhood councils Charter. in the neighborhood councils and the city have to work together in three key areas: 1) improving diversity of representation, 2) building leadership capacity, and 3) strengthening opportunities for neighborhood council input into city policy making. Specific actions can include:

- Transferring responsibility for elections generalized outreach and advertising to the City, that neighborhood council board members can focus on targeted outreach to improve and diversify participation. To accomplish this, it will be important for councils to develop an array of arenas for involvement that go beyond simple meeting attendance to include active engagement in projects and action committees.
- Providing incentives for targeted involvement of underrepresented groups in council activities. These might include specific grants for community improvement, education/recreation public safety, programs, or other activities demonstrated to increase participation the diversity in neighborhood council.

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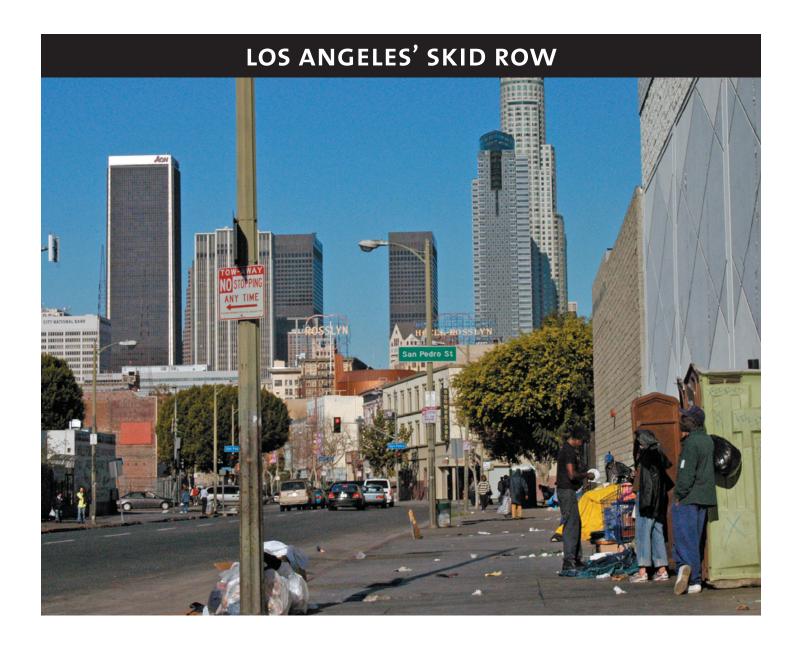
- Providing more consistent technical assistance and administrative support to facilitate organizational maintenance and outreach by neighborhood councils. There should be recognition that as voluntary organizations neighborhood councils face particular challenges to sustainability, and that the Department of Neighborhood Empowerment needs to provide consistent support around the most difficult tasks: community organizing and conflict management.
- Providing in-depth leadership development for neighborhood council board members, with a particular emphasis on dispute resolution. might involve programs that involve neighborhood council boards and stakeholders in deliberation and collaborative pursuit of community projects.
- Redesigning procedures for input into city policy making that recognize the special role reserved for neighborhood councils in the charter and encourage board members to reach out stakeholders and share knowledge of community preferences with decision makers. These might include a searchable Early Notification System, reforms to the Mayor's Budget Process, development of partnerships between neighborhood councils and city departments.

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The heart of Los Angeles' Skid Row is comprised of roughly 50 city blocks (o.4 square miles) of the greater downtown area, generally east of the Downtown Historic Core and the high-rise district of Bunker Hill. It has been defined as being bounded by 3rd Street on the north, 7th Street on the south, Main Street on the west and Alameda Street on the east.

Those boundaries have remained over the years because of the entrenchment of the Little Tokyo community to the north and the heavy industrial concentration lying further to the east. In recent years the homeless population within Skid Row has drifted west from Los Angeles Street toward the budding Loft District abutting Main Street, and south into the adjacent fashion and flower districts.

Estimates of Skid Row's population range from 8,000 to 11,000 people. It is a predominantly black male population, although over the recent years, the number of women and children has increased as well. About 20% of the population is veterans, and many suffer from substance abuse and/or mental illnesses. There are approximately 6,000 permanent residents in hotels and approximately 2,500 homeless individuals, with actual numbers varying by season and time of month. Approximately 2,000 to 2,500 persons make use of shelters, mission beds and transitional housing rooms in certain of the hotels. Numerous individuals on extremely low fixed incomes may alternate among hotel rooms, shelters and the street over the course of a month.



The History of Skid Row: The Skid Row that we see today emerged sometime between the mid-1960's and early 1970's but the area itself dates to the 1870's when the railroads were built on the periphery of an emerging downtown. The largely agricultural fields east of downtown soon gave way to more industrial uses, which eventually attracted a primarily transient, male population that arrived by train, for employment by the railroads and related businesses, or to work in the predominantly transient agricultural sectors.

From this environment arose the small hotels, transitional living spaces in their day that have become the single-room-occupancy residential hotels of today, and a service community geared to the needs of the workers, opportunity seekers, and others coming into the area. During the Great Depression, the area's hotels and services attracted a population of displaced people, many of them addicted to alcohol.

During World War II, Los Angeles became a stopping point for people looking for war jobs and soldiers shipping off to the Pacific. In order to entertain this new population, numerous bars, adult bookstores, and small theaters opened in and around the Skid Row area.



By the 1950's and 1960's, the city determined that many hotels in the area were substandard and unsafe and needed to be repaired or demolished. Because of the low rents generated in these hotels, then largely occupied by an elderly and predominantly white male population, many owners opted for demolition. This resulted in a substantial displacement of the resident population, many of whom could not afford to live elsewhere. As a result of code-enforced demolition, the housing stock dropped from approximately 15,000 units to about 7,500 units. In the late 1960's and early 1970's, Skid Row also saw a wave of people returning

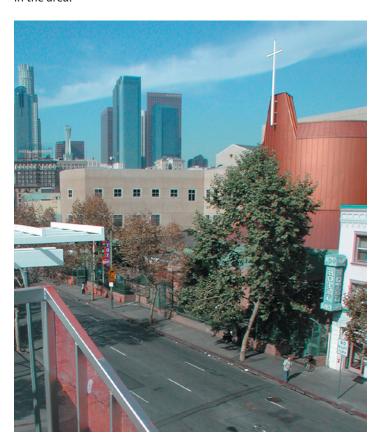
from the Vietnam War, largely comprised of young, African American veterans who were unemployed and suffering from trauma or drug addictions.

In 1975, Los Angeles adopted a redevelopment plan that called for stabilizing Skid Row by preserving the single-room-occupancy hotels and social agencies instead destroying the area, as other big cities have done with their indigent districts.





Since the 1980's, nonprofit housing agencies, including the Skid Row Housing Trust and SRO Housing Corp., have acquired and rehabilitated numerous hotels for use as low-income housing. Religious missions and 24-hour emergency shelters have expanded their services. Currently, there are about 6,500 residential single-room-occupancy units in the area, 3,500 of which have been acquired and repaired or rebuilt by such nonprofit entities. Many of them provide social services to the tenants. In addition, there are approximately 1,270 mission and 24-emergency shelter beds in the area.



Skid Row Density: Of the estimated 91,000 homeless people living in Los Angeles County, it is estimated that 2,521 homeless persons can be found within the 0.4 square miles of the Skid Row area. Those numbers equate to roughly 3% of the county's entire homeless population residing within an area that comprises only .0001% of the county's total land area.

Los Angeles County: The Los Angeles Homeless Services
Authority (LAHSA) estimates there are a total of 83,347 homeless
people in the streets and in shelters on any one night (point-intime) and 224,203 annually in Los Angeles County, excluding those
in Long Beach, Pasadena and Glendale. Including homeless count
information from Long Beach (approximately 6,000), Pasadena
(approximately 1,200) and Glendale (approximately 400), the total
homeless count for Los Angeles County is approximately 91,000.
This is the largest homeless population in the nation for any major
metropolitan area.

Of the 83,347, 34,898 are chronically homeless individuals. These are persons who have been on the streets for a year or more, or have had 4 episodes of homelessness in the last 3 years, and who have one or more disabilities, including mental illness, substance abuse, and health conditions. The proportion of chronically homeless people in Los Angeles is 42%, the highest of any major metropolitan area in the country. Approximately 55% of the chronically homeless population has three or more disabilities indicating that these people face multiple barriers to overcoming their homelessness.

Of the 83,347: 39% are Black/African American, 29% White, 25% Hispanic or Latino, and 7% multi-racial and other. Black/African Americans are over represented as they make up only 9% of the overall County population. Among the 83,347, there are 7,551 homeless families in shelters or on the streets on any one night. tOf the 83,347, only 9,875 are in shelters.





Community Redevelopment Agency of the CITY OF LOS ANGELES

DONALD R. SPIVACK COMMUNITY REDEVELOPMENT AGENCY (CRA) September 15, 1998

CRA's role in the history and development of Skid Row Los Angeles.

(It is interesting to be part of this project. I think it will be very exciting to assemble everybody's different perspectives on the development of what we call the "Central City East" area of downtown Los Angeles. Let me start with a brief history of the evolution of the area.)

The Central City East area of downtown Los Angeles is an area of approximately 50 city blocks. It is generally bounded by Third Street on the north, Alameda Street on the east, Seventh Street on the south and Main Street on the west. It is a portion of Greater Downtown, the roughly triangular area bounded by the Pasadena and Harbor Freeways on the west, the Los Angeles River on the north and east, and the Santa Monica Freeway on the south. This boundary includes downtown, with the city's major high-rise buildings (Bunker Hill and the Financial District); the city's historic core from both the Spanish era (Olvera Street and El Pueblo State Historic Park) and the American era (Broadway and Spring Streets); the ethnic communities of Chinatown and Little Tokyo; and the large concentration of industrial zones that comprise the garment, produce, seafood, flower and toy centers.

History of the Central City Area.

When the Spanish first founded Los Angeles¹ in 1781, they sited it near a pre-existing Native American settlement ("Yang-na") along the Los Angeles River a short distance northeast of the current El Pueblo Historic Park at Olvera Street. (The city center was relocated to Olvera Street in 1815 because of repeated flooding at the first site.) Los Angeles' primary role was as an agricultural station to supply the nearby Spanish Missions. For many years, the area was predominantly agricultural, being on the flood plain of the Los Angeles River and thus fertile for the growing of crops, accessible to a steady water supply, flat enough to be easily built on, and

^{1.} Originally named El Pueblo de Nuestra Señora la Reina de Los Angeles de Porciúncula, in English the City of

easily accessible to surrounding ranches and to the Missions.

As the city grew south and west from Olvera Street, skirting the Elysian Hills (including what is now downtown's Bunker Hill), the flood plain in the immediate downtown area -- generally the area east of Main Street -- remained agricultural until the railroads came into Southern California in the 1870's². That put the railroads on the edge of the emerging downtown, which was developing along Main and Spring Streets and Broadway generally south of First Street. With the coming of the railroads, a number of things happened. The area east of downtown began to evolve from its original agricultural (largely vineyard) nature into an industrial district. It was well-suited for that from the perspective that it was close to the river, now had railroad access, and was pretty much flat land so it was easy to develop with industrial uses -- which initially emerged from the agricultural base that was the city's economic mainstay.

Even in the early days, a lot of the industrial activity in Los Angeles was seasonal, so there was historically a very large transient population that came to Los Angeles for work. Once the railroads were in place, that population arrived on the trains and was delivered directly into the city's industrial zone. Much of the industry, even in the early days, was related to agriculture, the primary focus of what was going on in the settlement -- growing, packing and shipping agricultural products including livestock, fruits and vegetables. The railroads themselves, since Los Angeles was a railhead, also generated a transient population in the area made up of the engineers, brakemen and other personnel who operated and managed the trains. They would come in on the train, and they had a couple of days' layover in the community.

This temporal population gave rise to the need for, and thus the development of, hotels that provided living space for a primarily single male population coming into Los Angeles for short term or seasonal work. These "single room occupancy" hotels, with their small rooms and communal baths, were affordable temporary places to live. Because the area had predominantly a single adult male population, it attracted services that catered to that population, including small shops; bars, saloons and restaurants; brothels, the forerunners of today's "dance clubs"; and other social, recreational and meeting places. Some of the organizations that evolved into the

^{2.} When the railroads first entered Los Angeles, they came down along the banks of the Los Angeles River which, being flat, was the easiest route for them to follow.

social service organizations of today started as organizations to serve a temporary population with cultural, recreational or other diversions and with services which people away from home needed.

In addition, because the area was adjacent to the railroad, and Los Angeles was essentially the end of the railroad in the United States³, people who were coming west looking for opportunities would arrive in Los Angeles. They were, again, largely single and primarily male individuals.

Many of them were social misfits, escaping from a less-than-rosy past elsewhere, so they were essentially rootless in Los Angeles. Others were here to seek a fortune and to either form families or bring families from "back east." So there was a demand for additional social services. These were initially delivered by organizations such as the religious-based missions. Many of the missions that now deliver shelter and other services to the homeless and downtrodden have roots that go back over a hundred years. The missions began to appear as the transient single male population began to grow in the area, here to serve people migrating to Los Angeles looking for an opportunity to find work, settle and either form a family or bring a family from the east, or migrating here to escape a troubled past elsewhere in the United States.

With successive waves of new job opportunities in Los Angeles -- the discovery of petroleum shortly before the end of the 1800's, the arrival of the film industry shortly after 1900, the beginning of automobile manufacture in the early 1900's among them -- additional migration occurred. Most of it came first to Central City East since, again, most arrivals were by train. Moreover, the downtown offered the greatest range not only of housing options but also of transit options for access to jobs elsewhere⁴, and was therefore an easy base of operations until housing was found in other locations.

The fact that the hotels were here, and the social services were here, made this area an ideal resting place during the Great Depression of the 1930's. During this period, there was a

3. The railroads from the eastern United States initially went to San Francisco. Los Angeles was served by a branch line from there for many years before a direct link to the east was finally built.

^{4.} The region's extensive inter-urban rail network -- the Red Cars -- as well as its local streetcar system emanated from downtown. For many years, travelers from the east were advised by the railroads of the existence of the Pacific Electric "Red Car" system for travel around Southern California. The system was operated by a company affiliated with the Union Pacific Railroad.

substantial migration of individuals coming to the west coast because of lack of employment opportunities elsewhere in the country, and the expectation that Los Angeles had the "pot of gold at the end of the rainbow." Many people felt that if you got to Los Angeles, life would be good, everything was going to be all right. By and large, it turned out that for a lot of people it wasn't all right. But, in any event, the area had the missions and the other social services for the population that began to cluster here during the Depression. To a large degree this population consisted of hobos, rail riders and others who migrated from place to place, some in search of work, some simply moving around because of restlessness. Some of these people stayed for longer periods of time, some of them would stay for only a couple of days and then catch the train going somewhere else. Many of these individuals were alcohol addicted, often they were unemployable, and several of the social service organizations focused on "saving" such people.

The role of the area again evolved during the second World War when Los Angeles was a stopping point for a lot of people coming either to find work in the war industries or to be shipped off to the Pacific. The hotels were a stopping place for people in transit. During this period the missions and other social service organizations were supplemented by organizations that catered to the military personnel who were coming through here. The USO was located in Skid Row. Many of the small theaters, bars, cafés and adult bookstores that are still here trace their roots to that period of time. They have evolved into the triple X theaters that we see today (they were probably only one X at that time). Again, it all traces back to there being a continuing substantial single male population flowing through here. Moreover, it should be remembered that Los Angeles was a relatively segregated city in the 1940's and many new arrivals were African-American, so their options for places to live were limited to parts of downtown, Watts and a relatively few other communities.

After the war a number of people who -- having gone through Los Angeles on their travels during the Depression or on their way to war in the Pacific -- had liked Los Angeles came back here to settle. This was the part of Los Angeles that they knew, so this is where they first came back. Over time a couple of things happened. The demand for the hotels to be primarily space for railroad workers and others seasonal employees declined. The population that settled in this area because of the availability of social services and inexpensive housing -- still a population of low income and/or substance dependence -- became more permanent and aged. The population that

could relocate elsewhere in the city or the region moved away. Thus, Central City East became an area that had the more stereotypical Skid Row type population (people with alcohol dependence, other substance abuse difficulties, mental incapacity, long-term unemployability and the like). Thus, the area evolved from being primarily providing commercial hotels to a transient but working population to one that was providing more long-term places for people to live at the lowest levels of income and affordability. They were people who were generally elderly, often long-term substance abusers, of low income, but this was a neighborhood with which they were familiar, containing the facilities with which they were familiar, and the services they needed and used were there.

It is kind of interesting to look at the hotels that have big signs on them. All the hotels on this side of town have their big signs pointing east rather than pointing west (where downtown is today), and that's because this is where the railroad stations were. That is why everything faces east. The main entry point to Los Angeles was in what now is Skid Row and people who could went from here into the rest of the city as opposed to today when they come from other directions. But in any event, the occupancies of the hotels evolved over time to a more permanent, but still a very low-income population with continuing problems of substance abuse, medical problems, physical and/or mental impairments, and lack of employability.

In the 1950's and 1960's, a couple of things began to happen in the area. One of these was additional commercial and industrial growth, which began to impinge on the residential base in the area. At the same time, the City concluded that a lot of the buildings in the area, particularly the hotels, were seismically deficient or failed to meet other health and safety codes, and began to issue orders to correct or demolish the buildings -- to either bring them up to code or take them down because they were deemed by the City to be unsafe for people to live in. Because the revenues being generated out of those hotels generally didn't support the cost of repairs to bring them up to code, most owners opted to demolish. As a result, we went from roughly 15,000 units here in the mid-1960's to about 7,500 units in the area by the early 1970's.

There was a substantial amount of displacement of the resident population that resulted from property owners choosing to comply with seismic codes by demolishing the buildings rather than repairing them. That also fed into the fact that there was additional value to be had by selling the

property for industrial or related development, than to keep it in residential use. So, it was both the pressure of seismic code enforcement and demand for sites for the growing industries in the area (food, produce, garment and flower related) that precipitated the loss of almost half of the area's housing stock. (The toy industries came much later.) The industrial pressure combined with the code pressure led to a lot of the units being demolished, and a substantial displacement of the population.

In the early 1970's, the City came to the conclusion, after having adopted the redevelopment program for Bunker Hill (which also had a great deal of displacement associated with it) that there needed to be a redevelopment program for other portions of downtown Los Angeles, including most of the central business district and the Skid Row area. Having gone through the experience in Bunker Hill with the displacement that occurred there⁵, and having to some degree gone through the displacement in this area as a result of the afore-mentioned code enforcement, one of the big issues that came up during the discussion of the Central Business District Redevelopment Plan was, what would be the appropriate direction to take in the Central City East area -- Skid Row. There was a great deal of debate at that time as to whether Los Angeles should follow the direction that most other major cities were taking, which was to demolish Skid Row and see where people end up, but in any event to get rid of it -- which, I believe, was actually part of the community plan in the 1970's era -- or do something to stabilize it.

The decision was made with the adoption of the redevelopment plan in 1975 that the program in Central City East would be to try to stabilize it, create and maintain a base of low-income housing and the delivery of social services following a policy that was subsequently referred to as a "Policy of Containment." The containment idea was not so much that you put a fence around Skid Row to keep people in, but you designate an area in which facilities and services will be encouraged to centralize and exist because you have a population in the area that needs the facilities and needs the services. The area that is referred to is Central City East -- bounded by roughly Third Street on the north, Seventh Street on the south, Alameda Street on the east and Main Street on the west. There were two primary things to take place in that area. One was the

^{5.} In fairness, it needs to be noted that there had been complaints about the deterioration of Bunker Hill as far back as the 1930's and that, by the time the redevelopment program for Bunker Hill was being considered in the late 1950's, the Health Department had categorized over 80% of the residential units on Bunker Hill as unfit for occupancy.

preservation and appropriate expansion of residential facilities (for the most part the single room occupancy hotels in the area) and social services, and the other was to provide for industrial growth to take place in the area.

The Redevelopment Plan was adopted in 1975 and there was litigation over the plan's implementation that delayed any action for a couple of years. A stipulated judgment was executed in 1977 that allowed implementation of the redevelopment plan to go forward. One of the first actions was to begin to create mechanisms to stabilize the housing in the area. That included providing funds to begin to acquire, rehabilitate and then sell to nonprofit organizations a number of the single room occupancy (SRO) hotels and some of the other institutions that existed in the area, and to begin to deliver into the area a basic net of amenities. These included two parks that serve the area, about a third of an acre each, one at Sixth and Gladys Streets, and one at Fifth and San Julian Streets. These were the first efforts to introduce some kind of public amenities, if you will, into the area, coupled with a program that tried to identify among all of the SRO units what were called "priority intervention" areas, that is, areas in which there were clusters of hotels where it made sense to try to create some type of residential neighborhood because there were substantial numbers of hotels there. The first cluster was the one around Fifth and San Julian Streets, where the park is.

The first couple of hotels to be acquired and rehabilitated were in that immediate area (the Ross and the Panama among them) to begin to create a neighborhood of some sort by providing for some stabilization of the existing base of housing. The first couple of units were done with private owners. It became fairly early apparent that it was very difficult to find private owners who were both able to carry out a rehabilitation and maintain and operate a quality building. So, in the early 1980's the direction moved to the creation of the Single Room Occupancy Housing Corporation, a semi-independent non-profit entity set up by the Redevelopment Agency. The Corporation's responsibility was, focusing on the Priority Intervention areas, to acquire a substantial number of the SRO hotels, rehabilitate them (or in some cases where they were beyond rehabilitation, replace them) and then operate them under a managed quality program that also provided services and guarantees of affordable rents. Later on additional nonprofit organizations came in. A second program was to try to consolidate a number of the social services into, in essence, the heart of the Central City East area to make them more easily

accessible to the local population.

One of the largest rehabilitation projects and one that had a great impact in terms of the street activity was the conversion of the El Rey Hotel at Sixth and San Pedro Streets into the Weingart Center. That had been one of the most notorious hotels in terms of being the center of crimes. My recollection is a statistic like there were more homicides that took place in that hotel than took place virtually in the rest of downtown together. So, it was a very substantial criminal hot spot in the area, and is now one of the most important centers for the delivery of health and other services.

The effort in the area, then, was then three-fold. One, to try to stabilize the residential base by funding the acquisition, rehabilitation and quality operation of SRO hotels. Two, along with that, to attract and consolidate social services into locations that were physically proximate to where the population was. Three, to retain and expand the industrial base in the area.

While all of these efforts were going on, there was and there continues to be a population that lives outside of the residential units. There's a street population and there's been a street population for probably as long as there have been streets in this part of town. That has caused continuing conflicts with other parties in the community, not the least of which is the conflict that's caused because a substantial portion of the industrial base in this area is food based. You have some very significant health issues with regard to food industries when you have a population living on the streets in close proximity that doesn't have sanitary facilities. So that became a major point of conflict, and one that has not yet been fully resolved.

The second area of conflict is simply that we're dealing with a relatively small geographic area. We're dealing with an area of about 50 city blocks. The priority, from the public sector perspective, for almost the entire period since we began operating in this area in the late 1970's has been on the stabilization of the residential base. There were substantial objections from local property owners leading to some lawsuits over efforts to expand the number of residential units. One of the resolutions was the only place in which there could be expansion of the number of residential units was west of San Pedro Street, but east of San Pedro Street there could only be replacement on a one-for-one basis of any unit that was removed. So, there was not to be any

expansion of the residential numbers in that latter area, but there could be relocation and consolidation of units to maintain a residential base and potentially provide for some industrial expansion. As I said, that was a result of a number of legal challenges.

Today, there are approximately 6,500 residential units in the Central City East area. After the redevelopment program was established, there was a substantial reduction in the rate of demolitions, and by and large there have not been substantial reductions in the stock since the early 1980's. And to this point (late 1998), about 50% of the stock has been rehabilitated and brought under management of one or another nonprofit organization. So, there has been some substantial improvement of the housing stock. There has also been an expansion of the delivery of services that included, among other things, the creation of emergency and other shelter beds.

Back in the early 1980's, there was a recognition that there was a population living on the streets for whom moving into a permanent residential facility wasn't in the cards, at least in the short term, and that the street population exceeded the capacity of available shelter facilities. That led, first, to a volunteer program sponsored by the unions to create a temporary shelter. That temporary shelter at one point was located on the parking lot at the southeast corner of Sixth and San Pedro Streets. That emergency shelter, and others that followed, were responses to growing public recognition that there was population that was unhoused at all. The response started with shelters that were only night time shelters. There was no provision of any facilities for people who were in a shelter bed at night, and not everybody was ever given a shelter bed. But there was originally no provision for what people did during the day.

Over the last several years there has been a recognition that you need to provide 24-hour facilities, and you need to provide more than simply a bed. A number of the shelter facilities now have gone to 24-hour operation. But numerically, we probably have not met the total need, in terms of what the population of the area would demand.

We're facing now a couple of additional challenges. One is that there still is about 50% of the housing stock that needs to be stabilized. We're facing this at a time when funds to carry those programs out are becoming harder and harder to find. There also is, because of the recession and other changes in society, less willingness on the part of the private sector to provide funds for

social service organizations. Fund raising is becoming more and more difficult. So, there are, at least in many operations, cutbacks in services because of shortage of funds.

One of the things that has come along to try to deal with that situation was the creation, a couple of years ago, of the Los Angeles Homeless Services Authority, which actually emerged out of a lawsuit between the City and the County as to who was more to blame for taking housing out of the area. But the result was the creation of a joint City-County entity that is responsible for the delivery and at least some funding of social services through the County, with the recognition that there is a substantial portion of those services delivered in the downtown area, and that there needs to be a fairly substantial amount of the resources devoted to that.

There are some interesting issues that probably still need to be looked at, and there are open questions right now. One of the policies that was adopted in 1976 with the redevelopment program was a policy that said that Central City East is a place to provide housing for single adults, it's not a place for families and children. So, there should not be any public funds directed toward the provision of facilities that will serve families and children on Skid Row because they don't belong there. There is nothing wrong with providing emergency intake services under this policy but there should not be permanent housing provided in Skid Row for that segment of the population: they belong in other neighborhoods, and every effort should be made to get them to other neighborhoods. There is, right now, a growing number of families and children in the Row, for which some of the institutions are providing not only emergency but also continuing housing and services, so that issue is by virtue of reality up for further discussion.

There is the continuing conflict between what appears to be a growing demand for new industrial space, and pressure on the balance of the housing stock.⁶

One of the changes that took place in the neighborhood in the last 10 years is the introduction of the toy and wholesale electronics trade industries. Eleven years ago there weren't any such businesses. It is really in the last decade that they've developed here. It's kind of interesting to note that the police station at Sixth and Wall Streets was built as a blank wall building because

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^{6.} That portion of the housing stock which has received public funding for rehabilitation and/or operation is not threatened.

essentially everything around it at the time was a blank wall building. The area has now evolved into a lot of small wholesalers that open out on the streets, so the police building has gotten out of synch with the style of the buildings around it, but it was completely in synch when it was built. That whole industrial base, that whole trade base, which is a very significant one in that it is primarily small family businesses, has gone from essentially zero to about three-quarters of a billion dollars a year in activity flowing through this neighborhood, in just about 10 years. It has substantially taken the ground floor space in the area that was agreed would be the area for housing expansion. So, the opportunities for additional housing to be introduced into that zone that was designated for new housing have been substantially reduced by the growth of the toy industry.

There is a continuing desire to try to come to some resolution to -- and with -- the population that's living on the streets. To the extent that some of that population is looking to be housed, it's a matter of providing an affordable supply. To the extent that there is a segment of the population that chooses not to be housed, that's a whole different question, and I won't even hazard to get into that.

One of the important things that is happening in this area is that it is showing economic growth, even as other parts of the downtown are not. While we were going through the major downsizing of the financial institutions, and the banks were laying off people left, right and center, this area was creating employment. So, you've got this whole shift of where employment growth is taking place in downtown that has emerged essentially in the same time period as the toy industry, and then particularly has continued to emerge while much of the rest of the region was in recession. So it's kind of an interesting anomaly that what most people consider to be the most depressed part of Los Angeles has got one of the best economic growth rates of the city. That gets to be more significant when you realize that much of the industrial space this side of the hills is not within the city. The majority of the industrially zoned land in the city of Los Angeles is in the San Fernando Valley. With the exception of Central City East area, and the area east of it across the river along Soto Street and down to the Vernon city boundary, and a short distance up on San Fernando Road and Mission Road, there is virtually no other significant industrial space within the city of Los Angeles until you get to the Harbor. There are small spots of isolated industrial zones, but virtually all of the industrial space that is in the corridor between

downtown Los Angeles and San Pedro, Wilmington and Long Beach is in the county or in other municipalities, which is why the Alameda Corridor project⁷ is real interesting because most of the industrial potential along it is at the two ends, and the two ends are in the city, but the corridor itself is not. The corridor has been largely welcomed by the communities that it goes through as a means of revitalizing and rebuilding those communities. It will have some impact in terms of providing some sites for development along the way, but essentially the corridor is a trench that will run trains that are put together at one end and taken apart at the other end, and if there are industrial opportunities that relate to it, they are at the two ends. And we're at one of them, up here.

Going back to the question of containment, there was a recognition that the Central City East area should be looked at as a place in which services were delivered, rather than one that had firm boundaries that people should not be penetrating out from. That has evolved as some of the neighborhoods around evolved. Particularly, there is a growing conflict between the reemergence of the Little Tokyo area to the north⁸ and the Central City East area. There is a lot of uncertainty in terms of public policy, and a lot of conflict in terms of public policy between an effort to revitalize the Historic Core to the west⁹ and bringing new business activity into the largely vacant historic buildings there while sustaining the very low-income populations that are in Central City East and how to treat the two adjacent neighborhoods.

Going southward there is some level of conflict with the garment industry,¹⁰ although it's mitigated by kind of a warehouse band between the two districts. There is more conflict with the flower market¹¹ because they're right in the middle of an area affected by a large street-person

^{7.} An industrially oriented transportation project to substantially upgrade the rail link between the main railroad marshaling yards east of downtown and the ports of Long Beach and Los Angeles. Most of the link will grade-separate the rail line from adjacent parcels, so that the primary impact (other than on traffic flow) will be to promote economic development opportunities at each end. The Central City East area is just north of the point where the rail corridor turns east to the marshaling yards.

^{8.} Little Tokyo is a 67 acre redevelopment project area focused on bringing the historic cultural and economic heart of the Japanese-American community in Southern California back to its original center. Little Tokyo is bounded by a line parallel to First Street on the north, Alameda Street on the east, Third Street on the south (which is also the northern boundary of Central City East) and Los Angeles Street on the west.

^{9.} The Historic Core abuts the Central City East area along Main Street, and extends generally between First Street on the north and Ninth Street on the south. Major efforts are under way to re-use the large stock of vacant or nearly vacant buildings in the area, including attracting market rate loft-style residential and live-work uses.

^{10.} Generally located south of Ninth Street and east of Main Street.

^{11.} Located on Wall Street between Eighth and Ninth Streets. The block north of the Flower Market is largely occupied by parking lots and the pathways most often followed by potential patrons are often sites of large homeless

presence. And there is the continuing issue, particularly over health, with the food industry that is generally east and southeast of the heart of Skid Row and clearly within the boundaries of Central City East, generally east of Towne Avenue.

The other side of the containment question -- and that's kind of a shorthand term that other people have coined for it, that's not what it was designated by public policy leaders -- is that when the idea was set forth to maintain services and housing units in the Skid Row area, it was done recognizing that historically there was a large concentration of very low income individuals there, and that uprooting them was neither sane nor sensible. The decision to concentrate services was made in a context that said that there also needed to be a decentralized regional approach to the problems and needs of low-income and homeless populations. The answer to a homeless person in northeast Los Angeles County shouldn't be a need to be taken downtown, or from Venice to be taken downtown, or from San Pedro to be taken downtown, but that the downtown population merited services adapted to its own size and needs. But, in fact, that's largely the way it has operated for most of the time since the policy was adopted. The Los Angeles Homeless Services Authority is in the process of taking a look at some attempt to regionalize its services, but the bottom line is that the not-in-my-backyard response to the delivery of social services geographically is very strong in much of the county, and it is weakest and has been historically most tolerated downtown. And for that reason a lot of services end up downtown almost by default, even though there is a need for them to be in other parts of the region. That's an issue that also will be coming to the fore as time goes on.

I think that the big issues that need to be dealt with right now are the continuing issues of residential/industrial conflict, the question of families and children, and the appropriate level of delivery of services in this area, as opposed to what's available elsewhere in the region. If there were dispersed services there would be less reason for all the population to be attracted to downtown. In essence you would "turn off the tap" of new entries and you'll have a stabilized population in the area. These are probably the three major questions that are the table right now.

(That's kind of a very quick overview. I'm sure I left a lot of gaps along the way. If there are questions or things like that, I can try to fill in some of them.)

encampments.

RESPONSE TO QUESTION - Business Improvement Districts and their Security Efforts

I assume that that's the point being planned. They're directed primarily to the provision of marketing, safety and security, and cleanliness. Clearly, their primary focus is with the industrial and commercial population. They're not intentionally out there to drive the residential population away, although there's obviously going to be an impact on the population that's on the street. It's going to play out, I would say, at this point.

There has been some sense that as an area brings in a business improvement district (BID) and it starts to clean up, that it kind of forces the street population to go to an area that doesn't have a BID. I think that the experience with the BID's we've had so far suggests that that's what's happening. But as the proliferate, anything is possible.

One of the things that certainly we're not encouraging is that people get pushed away. One, because it's inhumane, and two, because it only puts them in another area that we're responsible for, so it doesn't save us anything. But that is an issue that's going to have to be played out.

RESPONSE TO QUESTION - Basis for Retaining Skid Row ("Containment")

It was because of the experience in other places where you physically wipe out the neighborhood but you don't wipe out the people, and that there was a sense that, one, it was not a real humane thing to do to the people in the neighborhood, and two, it didn't solve the problem, it just moved it somewhere. And that it was at least easier to deal with if it was in an area that you knew and if you planned for it than to just wait and see where it popped up and have to react to it.

RESPONSE TO QUESTION - Financing Shelters

CRA's involvement was one piece of it but at least when we were involved we were funding some shelter beds at the Weingart Center, we were funding shelter beds at Skid Row Development Corporation and a few other places. We had a program that funded 420 beds, give or take. We were up to 467 at the maximum. We had a few at sites outside downtown in South

Central Los Angeles and in the Mid-City area. There were about five or six locations, so it was less than 500 beds -- over 400, less than 500. Then there were some others that were funded by others.

RESPONSE TO QUESTION - Basis for CRA Funding of Shelters and the Limitations on CRA Funding at Present

It was litigation. It was properly what we refer to as the "Bernardi Lawsuit" against the approval and adoption of the Central Business District Redevelopment Plan. That litigation, named for former Councilman Ernani Bernardi, one of the litigants, resulted in a stipulated judgment that validated the redevelopment plan and established a lifetime "cap" of \$750,000,000 on tax increment receipts in the redevelopment project area. It also proscribed redevelopment area in a geographic area called "Map Book 5151," essentially the heart of the Financial District around Fifth and Flower Streets. Then there was litigation between the City and County, I think it was like 1984, that I referred to earlier, where the two parties sued each other over who was responsible for the homeless population, who had caused increasing homelessness in Skid Row, with the city accusing the county of doing so by cutting off general relief and other services, and the county blaming the city for displacing people by its code enforcement and redevelopment activities. In addition, under threat of litigation to prevent CRA's assisting in the rehabilitation of the Central Library (located in the Map Book 5151 area), the CRA agreed to fund the approximately 420 shelter beds referred to above.

RESPONSE TO QUESTION - Job Opportunities in Central City East

In the short term, there are a whole lot of opportunities because they're almost all very small businesses. They're mom and pop operations, and if they employ one other member of the family, that's about as far as they go. They're all very small. So, you'll find one or two jobs at best in each of those businesses. As some of the businesses evolve and some of the growth is in areas other than toys, electronics, silk flowers and some of those very small businesses, such as more growth in the larger food business and some related things that may be happening there, job opportunities will increase. There are new buyers who have recently taken over the Ryckoff plant at Seventh and Alameda Streets, and you will probably get in that area larger businesses,

and I think there will be some additional opportunities.

The reasons that you don't want to lose the industrial base is that there are several thousands of low-income people employed here, which gets into a whole question of homeless vs. welfare to work vs. bottom level not on welfare people. All of them are competing essentially for the same piece of a job market, if there is competition for anything.

If these industries move out of this area, there are several thousands of people who don't have access to transportation to get to where the businesses would be likely to go.

A fellow from the Inland Empire, who's name is Richard Meruelo, bought the Ryckoff buildings. One of his businesses is a furniture manufacturing business, so, I think he's bringing that in, but he's looking for mostly food-related businesses to come in there.

That property is immediately adjacent to the wholesale produce market, so it would be a logical extension for activity there.

RESPONSE TO QUESTION - Something on Businesses

The price certainly had something to do with it, but that type of business does require industrial zoning.

RESPONSE TO QUESTION - Makeup of Local Business Operators; Job Training

It varies. Many of the smaller merchants are Korean; a lot of them live in Koreatown. There are quite a few that are ethnic Chinese. Some are from China and some are ethnic Chinese from Korea. They live generally in Koreatown, down the Crenshaw Corridor and the ones who are doing real well are down in South Bay.

A couple of places have done training programs, some related to their shelter and some more related to people that agreed to go in their programs. The food missions have done that. The government had an incubator program where they tried to bring in and get some small business

formation and provide opportunities for local residents to get trained and have jobs in some of these businesses.

RESPONSE TO QUESTION - Transients looking for Day Work

There's a known quantity of populations that are clustering at some of these other sites, like down around Pico Boulevard and Main Street.

RESPONSE TO QUESTION - Evaluation of Progress under CRA

CRA was one of the first players to come down here. I think when you look in terms of where was the neighborhood when we started and where is it today, it's measurably better. It's got a long way to go to be a nice neighborhood, of that there's no question, but if you look back to what it was in the late 1960's, the late 1970's, even the early 1980's, crime stats are a lot less than they used to be. Violent crime is a lot less than it was. There are a couple of thousand fairly decent places for people to live. There are a number of very well run places for people to live. There are parts of the world that there's no problem walking through.

From the perspective of where it started, there's been a lot of improvement. There's nothing from that perspective. Is it finished? No. Is it a lot better? Yes. Should it get a lot better? Yes. Is it going to get a lot better? Let's hope so. CRA has spent about \$100 million in the area, most of which went into the housing stabilization, some of which went into the operation of public facilities such as the parks and into the shelters. Eighty (\$80) million of the \$100 million went into housing, and the investment I believe has been worth it, in terms of not only what they do for people who live in them, but for having stabilized parts of the community because of the clustering. A couple of blocks around some of those locations have, in fact, begun to create, as it were, a neighborhood in this area.

March 22, 2017 1 Rules, Elections, Intergovernmental Relations and Neighborhoods Committee Meeting 2 http://lacity.granicus.com/MediaPlayer.php?view_id=46&clip_id=16767 3 4 **Presiding:** Councilmember Herb J. Wesson, Chair; Councilmember Jose Huizar; 5 Councilmember Marqueece Harris-Dawson 6 **Present:** Elizabeth Peterson-Gower on behalf of Blair Besten (HCBID); Patty Berman 7 (DLANC); Robert Newman (DLANC); Charlie Woo (Property Owner); Jacob VanHorn 8 (DLANC); Ellen Dendo (Little Tokyo BID); Alan Kimamoto (HCNC); Scott Gray (Capital 9 Foresight); Joanne Dingenan (CCA); Doug Fitzsimmons (South Robertson NC); Rocky 10 Delgadillo (United Downtown Los Angeles / Liner LLP); Aiana Gomez (FDBID); Matt Nichols 11 (United Downtown Los Angeles / Liner LLP), Miguel Nelson (Property Owner); Ron Ziff 12 (Sherman Oaks NC); Jasmine Ramos (DLANC/Fashion District); Suzanne Holly (DCBID); 13 Daniel Tivan (Jade Enterprises); Jeff Page (SRNC-FC) 14 15 16 Mr. Wesson: This deals with the Neighborhood Councils. Mr. Clerk, Item #1 is the 17 Department of Neighborhood Empowerment This item was continued from the last rules meeting, which was March 8th. We had some questions for the Department if I remember 18 19 correctly. The Department representatives are here today. We also took comment from the 20 public and I closed the public hearing. But we do have a few folks so what I thought I'd do so 21 for a few minutes I thought I would re-open it, this time a minute each. So let's start with the 22 public comment cards. 23 24 25 26 [PUBLIC COMMENT] 27

1 **Mr. Wesson:** We re-opened public comment. Mr. Huizar, we have another hearing to get to so 2 we're going to turn it over to you. The public comment period is closed. 3 4 Mr. Huizar: Is DONE here? Can you please come up to the table for some questions? So 5 what brought us here today is after some neighborhood council elections a motion was put into 6 council that asked that we suspend online voting until DONE completed a report. DONE has 7 since done that and you have identified certain recommendations about how, if the Council so 8 choses to move forward with online voting, should we move forward. What also brings us here 9 today is that we have created a mechanism for Neighborhood Councils to subdivide if a local 10 community so wishes and go through an election process to make that happen. Here in downtown, we have used online voting for the two Neighborhood Councils that cover it, 11 DLANC and the HCNC. Both of these, we had some issues, but what your opinion as to 12 13 whether we can move forward with online voting in DT with us assuring that is transparent, practical and reasonable for everyone involved? 14 15 Grayce Liu: Thank you Councilmember. Grayce Liu, General Manager for the Department of 16 Neighborhood Empowerment. I am joined here by Deputy City Attorney Darren Martinez who 17 advises our Department. I think wholeheartedly, that online voting is going to be very 18 19 beneficial to the subdivision vote for the Skid Row Neighborhood Council because we are able 20 to, um, basically flip a switch and turn on the existing, um, uh, databases that were created 21 both for the Historic Cultural Neighborhood Council and the Downtown Los Angeles 22 Neighborhood Council. I know that some folks express concern regarding the process of voter 23 registration. For us, the folks that already voted, the 847 for Downtown Los Angeles 24 Neighborhood Council in the 2016 elections as well as 194 in the Historic Cultural, they are already pre-registered and ready to vote. They will simply be emailed information on how to 25 register online, uh, to get their user ID and password, they will not have to give us their 26 27 documentation again to show that they are stakeholders. What we can also do is in the next

week, because we have two weeks before the election, the at-the-polls election for the 1 2 Downtown Los Angeles Neighborhood Council, uh excuse me the forming Skid Row 3 Neighborhood Council, we can do in person registration and voting, which is what we call our 4 Pop-Up Polls. Um, the forming group also has a community meeting that is already scheduled for March 29th and we can be available there to do a Pop-Up Poll where we register people and 5 6 vote them remotely. So that's what we offered in last election, which was very successful for 7 DLANC. 8 9 **Mr. Huizar:** Did you have any hiccups in the last online voting for DLANC? 10 **Ms.** Liu: As I mentioned, it's likely, uh the hiccups that we did have, were in regards to 11 getting the documentation, all of the documentation that is needed to actually allow folks to 12 13 vote. So neighborhood councils can either self-affirm or they can use documentation to register to vote. DLANC has documentation. And when you have documentation, when they 14 15 were submitting information online for voter registration, sometimes they didn't give us everything that was needed. In fact, one of our recommendations, for the online voting, and 16 17 just in general even if we didn't have online voting, we would recommend that all neighborhood coucnils go to self-affirmation. The process of documentation is very 18 19 burdensome to stakeholders. It is literally the hardest registration, I think of any voting, of any 20 federal, state, county level, um, because you have to show deeds to your house, you have to 21 bring your 1099s and your W-2s and people who want to vote and participate are not used to 22 providing that type of information. 23 Mr. Huizar: Ok but, to answer the question, if we were to move forward with online voting 24 for downtown LA, do you feel that you could provide online voting without any problems? 25 26 27

1 **Ms.** Liu: We don't anticipate any problems with online voting. As I mentioned, the problems 2 that we did have with 2016 elections were mostly connected with the voter registration piece. 3 4 **Mr. Huizar:** Now the other issue is, should we allow online voting? The election is two weeks 5 away. Are we prepared? You said you flip a switch for those who have registered before, but 6 how do you get the word out that online voting is available? How do you get the word out to 7 all communities that this is actually another option? 8 9 Ms. Liu: So we would hopefully partner with DLANC as they have access to their 10 stakeholders and work with them to do outreach to notify that this is available. Our social 11 media websites, its, you know, if you are already tied into the neighborhood council system, as DLANC has a lot of stakeholders already who know about them, it will be easier to notify 12 13 those people that this is going on. 14 15 **Mr. Huizar:** So you think two weeks is sufficient time? 16 Ms. Liu: Well, it's not whether I think two weeks is sufficient time. It is literally the only time 17 18 we do have because per the ordinance, we have to do the ordinance we have to do an election within 90 days and approval of the application, so that was on January 11th, so we have until 19 April 11th, so we pushed it as far as possible so that both the forming committee and the 20 21 neighborhood council that is affected could be informing their stakeholders that was going to happen. And, for instance, with the Hermon and the Arroyo Seco area, the Arroyo Seco has 22 23 actually produced postcards, has spent money on this. 24 25 Mr. Huizar: On that issue, on outreach itself. We have been getting some emails and the 26 testimony today said that people didn't know about it, that they didn't think sufficient outreach 27 was done, uh they weren't aware subdivision was going on. Whose responsibility is it to do the

outreach and what outreach was done informing people in downtown that this election was going to occur? Ms. Liu: So in terms of mandated outreach, there is nothing within the ordinance that mandates outreach. We work with the NCs and the forming group and recommend that they do outreach to their neighborhoods. We are not funded to conduct massive amounts of outreach. **Mr. Huizar:** So it's up to the NCs to do the outreach? Ms. Liu: Correct, because they're supposed to notify, it is in their best interests to do so, to notify their stakeholders, that this is going on, because it is a majority of the voters that turn out that make a decision whether subdivision happens. So if only the forming committee is doing the outreach and the neighborhood council does no outreach, it is very likely the forming committee is going to have a majority of the voters there. Mr. Huizar: Ok but in other neighborhood council elections, I see DONE doing some outreach, saying "reminder, elections coming up." We don't do that for subdivisions? Ms. Liu: We will be doing that for subdivision to the existing database that we have, which would be the existing voters of 2016 **Mr. Huizar:** You do that. You will be doing that. Ms. Liu: Yes. We will doing that and telling them about it. We did do three community meetings, and at those community meetings we had over 150 people come to these community meetings between Hermon and the Skid Row Neighborhood Council.

1 **Ms. Huizar:** Ok and when is the last time for the election to occur? It's currently scheduled 2 for April 6. 90 days from when the subdivision election was filed, when would that be? 3 4 Ms. Liu: April 11. 5 6 **Mr. Huizar:** So some people here have suggested here that we postpone the election but we 7 probably would only be able to postpone it a few days, so it probably wouldn't make a 8 different anyway right? 9 Ms. Liu: Just a few days, that's correct. So that's why when we notified the neighborhood 10 councils of the election coming up, we pushed it as far as we could until the end so they would 11 12 have as much of the 90 days to conduct the outreach. 13 14 **Mr. Huizar:** Ok, alright. I'm finished with my questions. 15 16 **Mr. Wesson:** I'd like to know what you are going to suggest to this committee? 17 18 **Mr. Huizar:** Sure, well look, I have spoken to a number of stakeholders downtown who were 19 thrilled that we were, uh, using, uh, online voting, and although it did not work quite as well 20 other places, uh, generally speaking most people [interruption] so I was excited we were doing 21 online voting [interruption] so when we were doing online voting downtown, I think it was 22 relatively successful and it was an example of how we can continue to get more participation 23 and that ultimately that is our goal. This committee itself has done several things to allow for 24 council elections to involve more equal in different ways. For example, we moved our 25 elections to the general state election to have people not get as burdened by going to the polls and so our goal, one of our goals is "how do we allow more people to vote?" So I think here 26 27 for the sake of consistency we should keep that. I am concerned, however, that this is late

1 notice. That we are two weeks before the election we're saying hey, we're going to allow this. 2 But if you go back to the people that have voted and if DLANC and the forming committee 3 lets people know what the different options are, I that would be okay. Um, but one final 4 question before I make a recommendation is: for the day of voting, how many stalls are there, 5 how polling locations are there, is there just one as we heard in the testimony? 6 7 Ms. Liu: That's correct. In our typical election there is only one polling location which is why 8 online voting was piloted in the first place so that we could provide greater options for folks 9 who couldn't come to the at-poll location. So, um, the same has been applied, in terms of 10 equity, what we have done in the past, was have one location, it's located in the forming neighborhood council boundaries and its four hours and we can set up many different booths 11 12 so that people can vote. 13 14 Mr. Huizar: So typical of every Neighborhood Council election? One polling location, for 15 four hours, that's what's done every time? 16 Ms. Liu: That's correct. Four hours is the standard. We can extend if the neighborhood 17 council requests, up to 8 hours. 18 19 20 **Mr. Huizar:** Ok, thank you. So with that, uh Mr. Chair, I think some people here have asked 21 that we also postpone the election, but we can't do that, just moving it only a few days which I 22 don't think we would the type of additional outreach we would like to see by moving the 23 election just a few days. But I would ask, my recommendation would be that the Department 24 of Neighborhood Empowerment and the City Clerk be instructed and authorized to enable the online voting platform for the April 2017 Neighborhood Council Subdivision Election for the 25 26 downtown area. This should not change the existing suspension of online voting in any other 27 area until we can further discuss the issues in DONEs report and the factors that led to the

suspension. Two, I would further move that we continue the associate Council File and recommendations listed in DONE's report in committee further discussion and evaluation and three to assist with that future discussion, I would like to instruct DONE to report to this committee with a recap of online voting for the April 2017 subdivision elections along with recommendations from that experience, if any. **Mr. Wesson:** So then without objection that will be the order? Ok. Is there any other business before this committee Mr. Clerk? **Clerk:** No sir, that clears the deck. Mr. Wesson: Ok, so this committee is closed. This committee is adjourned.



Neighborhood Council 2017 SUBDIVISON MANUAL

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Introduction

The Department of Neighborhood Empowerment (EmpowerLA) is pleased to work with the Neighborhood Councils on subdivision Elections in 2017. We have developed this manual to help guide subdivision Applicants and Neighborhood Councils through the procedures of engaging stakeholders in the process of voting in the subdivision election.

Subdivision Election Process

Overview

The City of LA's Administrative Code, Section 22.819, established a procedure for stakeholders to create a certified Neighborhood Council within the boundaries of one or more existing certified Neighborhood Councils.

A stakeholder who desires to form a separate Neighborhood Council within the boundaries of one or more existing Neighborhood Councils shall submit an application to the Department of Neighborhood Empowerment (Department) and identify the formation committee which will receive notices, and make decisions regarding the subdivision petition, including bylaws.

The Department will review the subdivision petition to determine if it complies with the Plan for a Citywide System of Neighborhood Councils (Plan) with the exception that the subdivision petition may propose boundaries that are within one or more existing certified Neighborhood Councils.

The Department shall conduct an election within the boundaries stated in the subdivision petition within 90 days of the Department's approval of the subdivision petition.

A stakeholder is eligible to vote in the election if the person is a stakeholder in the proposed area for subdivision or in any of the Neighborhood Councils that are proposed for subdivision.

A majority of the voters from the entire Neighborhood Council or Neighborhood Councils being subdivided must approve the subdivision in order to create the new Neighborhood Council.

The Department is authorized to promulgate any further procedure, rule or regulation necessary for the administration of the subdivision process contained in this section, including, but not limited to, conducting the election for subdivision, initial election for the subdivided Neighborhood Council's governing board, eligibility for voting at any election, and placing limitations on the number of subdivision petitions processed during any calendar year.

• <u>subdivision</u> <u>Meetings</u> - EmpowerLA will facilitate three subdivision Election meetings during the 90 days between the approval of the subdivision application and the subdivision Election, within the boundaries of the proposed subdivision, and open to the public. The

three meetings will all feature Election Information and the third meeting will also have an opportunity for the subdivision Applicants to present their case for subdivision and also for those opposed to speak in opposition to the proposal to sub-divide.

- **subdivision Forum** The third of the three subdivision Meetings will include a subdivision Forum which will give the applicants and those opposed to the subdivision an opportunity to present their cases.
 - o subdivision Applicant up to 8 minutes
 - o subdivision Opponent up to 8 minutes
 - o Public Comments up to 20 minutes
 - pro/con will takes turns, 1 minute each
 - o Closing Comments Opponent up to 3 minutes
 - o Closing Comments Applicant up to 3 minutes
- <u>Timeline</u> the timeline for the election is specified in the administrative code which requires the election to take place within 90 days of the Department's approval of the application. The Department will work with the Applicants to determine the election date, the election time, and the election location. The Applicant will make a final decision on the time and location during the second of the three subdivision Meetings.
- <u>Election</u> <u>Procedures</u> EmpowerLA, the subdivision Applicant, and the Neighborhood Council(s) that are the subject of the proposed subdivision will use the Election Procedures in this manual for procedures that apply to the subdivision election process.
- <u>Election Time</u> Polling Locations will be open for four hours. The hours of the election will be posted at EmpowerLA.org/SubDivision along with other election information and subdivision documents.
- Online Voting For subdivision Elections with online voting, the voter registration portal will
 open ten days in advance of the election and will remain open for seven days. Voters can
 register online and they will receive a username and PIN by email. They can then vote
 online or they can come to the polling location on election day.
- <u>Pop-Up Polls</u> In the ten days prior to the electronic voting, EmpowerLA Election staff will conduct Pop-Up Polls within the boundaries of the Proposed Neighborhood Council as well as within the boundaries of the Neighborhood Councils that are subject to the subdivision.
- <u>subdivision</u> <u>Ballots</u> The subdivision Ballot, both online and paper, will contain a subdivision statement and a yes/no question.
 - o The Xxxx Formation Committee proposes to sub-divide the Yyyy Neighborhood Council and the Zzzz Neighborhood Council which would result in the formation of the proposed Xxxx Neighborhood Council.

Are you in favor of the Skid Row subdivision proposal? Yes or No

• Online voting will be open up to the close of the polling location.

- Canvass of Votes At the close of polling, the room will be cleared and reset for the canvass of votes. The room will be open to the public with a designated space for observers and for media. There will be no interruptions or disruptions during the canvass of votes. The Preliminary Canvass of Votes will be presented to the public when the canvass is completed and a copy will be posted at the polling location and online at EmpowerLA.org and will be distributed to the subdivision formation committee as well as the Neighborhood Councils affected by the proposed subdivision.
- <u>Eligibility to vote</u> A stakeholder is eligible to vote in the election if the person is a stakeholder in the proposed area for subdivision or in any of the Neighborhood Councils that are proposed for subdivision.
- <u>Defaults</u> EmpowerLA will set defaults for necessary election information, such as the election day, time, location, Pop-Up polls, etc. if the Applicant of the Neighborhood Councils that are proposed for subdivision do not provide the information by the set deadlines.
- <u>Public</u> <u>Funds</u> Neighborhood Councils that are proposed for subdivision can spend their funds to conduct outreach and to promote participation in the subdivision Election but they can't spend public funds to promote a position.
- <u>subdivision</u> <u>Positions</u> A Neighborhood Council can take an official position on a proposed subdivision but is limited to including it in its minutes as a method of promoting its position.
- <u>Self-Affirmation</u> <u>vs</u> <u>Documentation</u> Voters will be required to follow the election procedures of the Neighborhood Councils that are subject to the proposed subdivision.
- <u>Minimum Age to Vote</u> Voters will be required to follow the election procedures of the Neighborhood Councils that are subject to the proposed subdivision.
- <u>subdivision Applicants Bylaws</u> The applicant's proposed bylaws have no authority over the subdivision Election process which is governed by these Election Procedures as well as the bylaws of the Neighborhood Councils that are subject to the proposed subdivision.
- Approval A majority of the votes cast from the entire Neighborhood Council or Neighborhood Councils being subdivided must approve the subdivision in order to create the new Neighborhood Council. Empty ballots do not count as a vote, spoiled ballots do not count as a vote, over-votes do not count as a vote, only the ballots with one vote will count and the applicant must receive a majority of the votes in favor of the proposal in order to prevail.
- Next Steps If the Applicant receives a majority of the votes cast, the Proposed subdivision Application and the proposed bylaws go to the Board of Neighborhood Commissioners (Commission) for their review, input, and approval. The Commission is authorized to make any amendments to the bylaws to satisfy Article III Section 2 of the Plan. If the Commission approves the bylaws in the subdivision petition, then the Neighborhood Council listed in the subdivision petition shall be deemed a certified Neighborhood Council within the City of Los

Angeles. The five stakeholders listed in the subdivision petition shall be authorized to work with the Department and make decisions regarding the initial election or selection of the newly certified Neighborhood Council's governing board. The Neighborhood Council or Neighborhood Councils being subdivided are not required to recertify and continue to remain certified after approval by the Commission of the bylaws.

- subdivision Documents The Department will create a webpage at EmpowerLA.org with
 information on the subdivision process as well as pages for each proposed subdivision.
 These webpages will have the ordinance, the applications, the voter registration forms, the
 list of documents, and information on the elections, how to vote as well as when and where.
 In addition there will be information on who to contact for more information.
- Rosters One of the best ways to engage voters is to enlist the support of the organizations within the boundaries of the councils eligible to vote. Organizations can submit rosters that list their members, their volunteers, or their employees so that the voters can simply show their identification to document their identity and then rely on the roster, which must include the name of the organization and an address within the boundaries of the eligible councils, as the verification of their stakeholder status.
- Provisional Voters All voters will be given the opportunity to vote but if a voter does not
 have the necessary documentation, they will vote provisionally which means that they will
 have three days to provide their documentation at which time their vote will then be counted.
- Recounts Any Stakeholder who voted in the election can call for a recount and the request must be made within three calendar days by 5 pm after the election.
- Challenges Any Stakeholder who voted in the election can challenge the election results by visiting the online challenge portal found at EmpowerLA.org and following the instructions.
- Neighborhood Council Exit Polls or Surveys The subdivision Applicant Your Neighborhood Council can develop an exit poll or survey for the voters on the Election Day to obtain information on how successful your outreach campaign was, what issues are important to them, etc. The survey cannot ask how the voters voted. The Neighborhood Council can set up a table within 100 feet of the polling place near the exit so long as the table does not block the flow of traffic. Any other organization or stakeholder with exit polls or survey must stay 100 feet outside of the polling place.
- Polling Locations The Department will conduct the Pop-Up Polls and the Election Day polling. The Poll Manager will arrive with an Election Kit, including a ballot box with lock, ballots, stakeholder registration forms, pens, paper, observer badges, volunteer badges, polling place signage, voting instructions, voting booths, ballots, colored paper for printing additional ballots, volunteer instructions, tally sheets, and report forms.
- Poll Managers for Online Voting elections will bring an additional kit with items specific to the digital portion of the election.

- The Poll Manager and poll workers will arrive to the polling place at least one hour before the polls open to set up the space. The Poll Manager will provide a layout for the polling place for easy access and flow for the voting process, including areas for:
 - Registration
 - Ballot Pick-Up
 - Voting Booths
 - Digital Voting Station (tablets, laptops or desktops)
 - Ballot Box
 - Information Kiosk
 - Special needs voter accessibility
 - The Poll Manager will announce the opening and closing of the polls. At the close of the polls, after all ballots have been placed in the locked ballot box, the Poll Manager will take possession of the ballot box while volunteers set up the room for counting. If time and the number of ballots do not permit for counting at the polling place, the Poll Manager will take the ballot box back to the EmpowerLA office for counting with notice to the public as to when the tally will take place.
 - Poll Managers at Online Election polling locations will close the polls and secure the digital election equipment according to the process established by the Department and the Online Voting Vendor.
 - **Vote Tally Counting -** When it is time to count the ballots, the Poll Manager will instruct and oversee the counting volunteers in the following steps:
 - The ballot box will be unlocked, and the ballots sorted according to color of ballot.
 - The stakeholder registration forms will be counted and quantities will be noted.
 - The total number of ballots will be counted and noted.
 - The Poll Manager will divide the ballots into manageable amounts for counting, usually no more than 100 ballots.
 - Volunteers will be divided into pairs (a caller and a marker). They are given
 pre-printed counting sheets: one volunteer calls the name of the person receiving
 a vote and the other marks down the vote on a tally sheet.
 - Online Voting results will be tabulated by the Online Voting Vendor in accordance with the process that is agreed upon by the Department, the City Clerk, and the Vendor. The results will be printed from the Online Voting system, once the polling place has closed. The tabulated results will then be posted outside the polling place in clear view for stakeholders.
 - After the count is over, the Poll Manager will package all election materials, including ballots and registration forms and return them to the IEA, who will also review the election materials. EmpowerLA will arrange the delivery of the election materials to the City Clerk on the next business day.

- Within 24 hours, the Poll Manager will post an unofficial bulletin announcing the tally of
 votes on the EmpowerLA website for public review and will also send the results to the
 Neighborhood Council. If there are provisional ballots, the deadline for submission of
 acceptable documentation is three (3) calendar days after the election. The Poll
 Manager will verify or disqualify the provisional ballots and revise the tally of votes.
- A Final Official Certified Canvass of Votes will be issued once there are no outstanding ballots to be verified. EmpowerLA will retain ballots, provisional ballots, stakeholder registration forms and tally sheets until after the deadline for challenges if there are no challenges or after the conclusion of arbitration of all challenges.

• Recounts and Challenges Timeline - 3-5 days after the election day

- Recounts may be requested within three calendar days by 5 pm after the election.
- Challenges to the election are accepted within the five calendar days by 5 pm after the election.

Election Policies

The policies set forth in this section are to supplement the Election Procedures and any other legal authorities over Neighborhood Council elections and supersede any inconsistent language in Neighborhood Council bylaws. The Department may refer back to the 2014 Neighborhood Council Election Policies or add policies as necessary in its administration of the elections.

Online and Telephonic Voting

Neighborhood Councils offering Online and Telephonic Voting will also have a traditional polling location on Election Day. They can register voters well in advance of the online voting window, and voters will be notified when the voting window is open and will be notified three days in advance of its close. Online Voters can also vote at the polling location on Election Day. Voters who register on Election Day and vote at the polls will still be voting on a digital platform. The results will be tabulated by the Online Vendor, and the results will be posted at the polling location and online at EmpowerLA.org/Elections. Neighborhood Councils should also have the results on their website if applicable.

Location Fee

The Department will pay up to \$200 for the location fee for the subdivision Polling Location.

Outreach

The Applicant is responsible for conducting outreach, in advance of the application's approval and then to engage the community in approving the application through the election process. The Neighborhood Councils that are proposed for subdivision are also

responsible for conducting outreach to engage the community and encourage stakeholders to vote in the election.

Inspection of Forms

Please note that Stakeholder Registration Forms and ballots will only be made available for inspection after the Final Official Certified Tally of Votes is completed in order to ensure critical documents are available for use by staff when needed, to avoid any interference with the election process, and to avoid the possibility of duplication and/or fraud. The processed ballots and non-exempt information on the stakeholder registration forms will be provided within a reasonable amount of time after the date of the election. These documents will be destroyed ninety (90) days after the final regional election.

Election Procedures

I. Introduction

These election procedures meet the minimum requirements to conduct Neighborhood Council subdivision elections pursuant to City Council policy and other standardized election procedures that may be issued by the Department.

II. Elections

For those subdivision elections conducted exclusively at the polls, the election will be a **Prepared Ballot Election**. In this election, the applicant's subdivision proposal will be printed on a ballot that is distributed to the voters on Election Day. Alternatively, for Neighborhood Councils voting online, the prepared ballot will be available in an electronic format.

- Proxy voting will not be allowed for this election.
- Voters may cast their ballots on the day, time and location indicated on the EmpowerLA.org website..
- If a voter with a disability is unable to access the Polling Place, curbside voting will be provided as an option for that individual. On Election Day, voters can request curbside voting by calling the Elections Division Hotline at (818) 293-VOTE (8683).

III. Location

- A. The subdivision Applicant can provide a location within the boundaries of the proposed Neighborhood Council no later than the second of the three community meetings conducted in advance of the election.
- B. Election locations should meet the following criteria:
 - 1. Sufficient size to accommodate the voter sign-in process and actual voting activities.
 - 2. Sufficient parking for poll workers and voters.
 - 3. Convenient for those utilizing public transportation.
 - 4. Procedures must be in place to accommodate disabled voters and in compliance with the Americans with Disability Act (ADA).

- 5. Unbiased location for stakeholders and candidates.
- 6. Available for the Neighborhood Council Election Day for at least two hours before and after the election start and finish.
- C. The election location or polling place will be published on the Department prior to the election and any change of location will be posted within 24 hours of the change.

IV. Neighborhood Council Boundaries

The boundaries of the Neighborhood Council are set forth in its bylaws. Where a map of a Neighborhood Council does not match the language provided in that Neighborhood Council's bylaws, the Poll Manager shall defer to the written bylaws for clarification and revise the map in accordance with specific language in a given Neighborhood Council's bylaws.

In the event specific language is not specified in a Neighborhood Council's bylaws regarding how bordering boundaries are defined for a Neighborhood Council or its internal districts/areas/quadrants/zones, the Department and Poll Manager shall consider the middle of the road as the defining border for election-related purposes, such as stakeholder (voter) verification. This will only apply when a Neighborhood Council has not specifically identified boundaries to include both sides of the street (road, avenue, boulevard) or to include or exclude any specific landmarks, parks or plots of land.

v. Definition of Stakeholder

Neighborhood Council membership is open to all stakeholders. "Stakeholders" shall be defined as those who live, work or own property in the neighborhood and also to those who declare a stake in the neighborhood as a community interest stakeholder, defined as a person who affirms a substantial and ongoing participation within the Neighborhood Council's boundaries and who may be in a community organization such as, but not limited to, educational, non-profit and/or religious organizations (Ordinance No. 182830).

- All person(s) or entities that meet the criteria for the definition of stakeholder shall be eligible to vote in the election, either at the polls, online, or by telephone (if applicable).
- Stakeholders cannot be denied the opportunity to vote for a candidate for member of the governing Board for whom they are eligible to vote.
- Stakeholders cannot be denied the opportunity to run for a Board seat for which they
 hold stakeholder status unless otherwise prohibited by the Neighborhood Council
 bylaws.
- In order to cast a ballot in the election, a stakeholder must be the age on the date of the election as stated in the Neighborhood Council's 2016 Election Procedures Stipulation Worksheet and bylaws.

vi. Stakeholder Verification

For this election, EmpowerLA will accept forms of identification for self-affirmation and documentation as prescribed by EmpowerLA's Neighborhood Council Election Acceptable Forms of Documentation. However, PO box addresses and storage facilities will not be accepted as a form of verification document for candidate and voter registration.

vII. Campaigning

- A. The use of the City of Los Angeles Seal, the Department, City Clerk or Neighborhood Council logo or any other official Neighborhood Council designation created by the Department is prohibited for use on election materials.
 - A logo is a graphic mark and/or emblem used by the City, a City department, or a Neighborhood Council that serves to facilitate immediate public recognition. A logo can consist of purely graphic symbols or icons, but can also consist of a logotype or word mark.
 - 2. Any use of a logo, regardless of intent, will be considered a violation of this article and the Neighborhood Council Election Procedures unless the logo is used as part of outreach material produced by the City, a City department, or the Neighborhood Council for the sole purposes of promoting the election. If such outreach material contains candidate names, all qualified candidates must be listed on the material.
 - 3. The purpose of this provision is to prevent candidates or supporters of candidates from campaigning under the expressed or implied endorsement or authorization of the City, a City department, or a Neighborhood Council and prevent voter confusion. Please note that any logo that is substantially similar to a City, City department, or Neighborhood Council logo may lead to voter confusion and may be subject to a challenge.
- B. The governing Board of the Neighborhood Council, acting in their official capacity as the governing Board, is prohibited from endorsing or campaigning for a specific position.for any candidate or group of candidates running for the governing Board of the Neighborhood Council. This provision does not restrict the right of individual Board members, acting as individual stakeholders, or any other stakeholders, from endorsing or campaigning for any candidate or group of candidates.
- C. No City facilities, equipment, supplies or other City resources shall be used for campaigning activities except:
 - 1. to hold a Forum sponsored by a Neighborhood Council;
 - 2. to hold a Neighborhood Council election; or
 - 3. if the individual has obtained approval from an authorized representative of a City Department or Commission (if managing a Department) for use of the facility.
- D. City resources may be used by a Neighborhood Council for impartially communicating with voters through the printing and mailing of a voter information pamphlet, which includes candidate statements and/or the posting of candidate statements on its website. To the extent that the Neighborhood Council provides candidate statements to the voters or Neighborhood Council mailing lists to candidates, all candidates shall be given access in a timely and uniform manner.

vIII. Electioneering

No campaigning or electioneering activities will be allowed within 100 feet of the Polling Place, which is measured from the door of the Polling Place where voters sign the roster and cast their ballots. Polling Place staff must place signs indicating where the 100 foot mark is located.

No campaigning or electioneering activities will be allowed within 25 feet of the Pop-Up Polling

Location, which is measured from the location of the portable poll where voters sign cast their ballots.

Electioneering includes:

- soliciting a vote or speaking to a voter on the subject of marking his or her ballot;
- placing any sign relating to any candidate;
- distributing or wearing material relating to any candidate; or
- placing a sign, distributing material, or conversing with a voter on the subject of the voter's qualifications to vote.

In addition, excessive noise and audio equipment that creates a nuisance to voters or staff within the electioneering boundaries will amount to a violation of this policy. Vehicles that have a banner or placard soliciting a vote or recommending any candidate shall remain outside the electioneering boundaries except for the discharge or loading of passengers. Activities beyond the boundaries are subject to the rules of the particular property owner and should be respected.

Any person or persons engaged in electioneering will be directed by polling place staff to cease and may be asked to leave.

IX. Self Affirmation for Homeless Voters

In Neighborhood Councils requiring documentation to verify voters, homeless voters will be exempt from providing such documentation if they affirm that they are homeless. They will need to vote on Election Day at the polling place, in person, where they will fill out a Voter Registration Form affirming that they are homeless. They will not be able to register online or vote online or at the Pop-Up Polls.

x. Polling Place Operations

Only poll workers and voters engaged in voting may be within the voting booth area during the time the polls are open.

- A. **Curbside Vote:** If a voter with a disability is unable to access a polling place, a volunteer who is designated by the Department shall hand-carry a ballot and a Stakeholder Registration Form (if needed) to any physically challenged voter at the polling site for completion in the general area of the polling site. Once marked, the ballot shall be placed into an envelope, and then the envelope shall be sealed. The volunteer shall return the completed Stakeholder Registration Form to the poll workers for processing, and the sealed envelope containing the ballot shall be deposited into the ballot box.
- B. **Observers:** Prior to opening, all Observers must wait outside while the poll workers set up the Polling Place. Observers will be permitted to enter the Polling Place once the polling site officially opens for voting. All Observers must sign in with Staff. A badge will be issued and must be worn at all times. When leaving for the day/evening, the Observer

must sign out and return the badge to the Poll Manager.

- Observers may not interfere in the election or the voting process. Observers cannot assist in operations, touch or handle any ballots or other election-related materials.
- Observers may not talk to or solicit voters in the Polling Place.
- Observers are allowed to videotape Polling Place operations pursuant to Article XXI.
 Videotaping.
- Observers have the right to ask poll workers questions regarding election procedures
 and to receive answers or be directed to the appropriate official for responses to
 questions. If, however, persistent questioning disrupts the execution of their duties,
 the poll workers can stop responding and direct the observers to the Poll Manager
 for all further answers. If disruptions persist, the Observer may be asked to leave the
 polling place.
- C. Provisional Voting: A voter may cast a provisional ballot if the voter's eligibility to vote in the election cannot be determined in favor of the voter at the time the voter attempts to cast his or her ballot. The only acceptable basis for challenging a voter's right to vote at the Polling Place will be that the person is not a stakeholder as defined by the Neighborhood Council bylaws.
 - If a voter is challenged on the basis of insufficient documentation, the voter may produce any of the documentation outlined in these Election Procedures at which time the voter will be issued a regular ballot.

If a voter cannot produce the required documentation, then the voter will be offered the opportunity to vote a provisional ballot. The provisional ballot will be the same as regular ballot, except that prior to placement in the ballot box the provisional ballot will be placed inside a provisional envelope. On the outside of the envelope the voter will provide:

- 1. The voter's name.
- 2. The voter's address.
- 3. The voter's stakeholder status.
- 4. The voter's contact number(s), e.g. mobile or other telephone number.
- 5. The voter's email address
- 6. When a voter casts a provisional ballot, the voter will be issued instructions that explain what steps the voter must take to qualify the provisional ballot, including documentation required to be submitted, where the documentation is to be submitted, and a contact number to request assistance or seek additional information. The deadline for submission of acceptable documentation shall be three (3) calendar days after the election. EmpowerLA and the City Clerk will be responsible for the verification of the provisional ballots.

XI. Tabulation of Votes and Election Certification

For at-poll only elections, EmpowerLA will be responsible for tabulating the ballots and announcing the unofficial results on election day or as soon thereafter as possible. For electronic voting, Everyone Counts will tally online votes and provide the results to EmpowerLA at the close of the at-poll election. EmpowerLA will combine the online votes with at-poll votes and announce the unofficial results on election day or as soon thereafter as possible. The Department will verify any provisional ballots for inclusion in the Final Official Certified Canvass if Votes.

The Final Official Certified Canvass of Votes shall occur on Election Day at the polling place

barring the need to count any additional outstanding ballots. The canvass of votes will be open to the public, for observation, provided that the observers must not interfere with or attempt to influence the vote tabulation in any way.

The Applicant needs a majority of the ballots cast in order to prevail.

The Poll Manager will submit the Final Official Certified Canvass of Votes to the Applicant and the Neighborhood Councils that are proposed for subdivision.

EmpowerLA will post the Final Official Certified Canvass of Votes on the EmpowerLA website immediately upon completion.

xII. Challenges

Election Challenges

Any stakeholder who voted and submits the same stakeholder documentation required of the voters in an election may file a challenge to the conduct of that election no later than 5 p.m. on the 5th calendar day after that election by filing an election challenge on the EmpowerLA Election Challenge Portal (http://empowerla.org/election-challenge-process/). In addition to the information below, specific instructions regarding how to file a challenge and how the challenge will be handled are provided on the Portal.

The written request must meet the following requirements:

- 1. Identify the basis for the challenge to the election.
- 2. Identify the person(s) issuing the challenge and their contact information.
- 3. Identify up to 3 witnesses and provide their statements via a Witness Statement Form provided <u>here</u>.
- 4. Provide all supporting documentation, including any witness statements (none will be accepted after the request is filed).
- 5. The supporting documentation must prove that the alleged challenge is not only valid, but would also have made a difference in the election outcome. Challenges without such supporting documentation will automatically be rejected.

All of the submitted information is public information and will be listed on our elections website even if the challenge is withdrawn later.

Election challenges will be handled by the Neighborhood Council Grievance Panels if they meet the requirements.

The following is a list of challenges that the Department will and will not process:

Challengeable:

- Incorrect Ballots
- Electioneering by Applicant
- Ballot Duplication (by Applicant or stakeholder)
- Explicit Use of City logo(s) for Campaign Materials by Candidate(s) (including LA City, EmpowerLA logo, Neighborhood Council logo, and any other City department logo)
- Neighborhood Council Board Endorsement

- Americans with Disabilities Act (ADA) Accessible Facility (if curbside voting was not available)
- Multiple Voting any voter who casts multiple ballots in one Neighborhood Council election illegally

Any area not listed above is non-challengeable, including, but not limited to:

- Lack of Outreach (outreach performed by a Neighborhood Council, the Department, or any other City entity)
- Published Articles (challenges based on election information published in media such as the Internet [including blogs], newspaper[s], or any other type of media)
- Translated Election Material
- Information Forums
- Polling Place or Pop Up Poll Location Selection
- Change of Polling Place or Pop Up Poll Location
- Email Forwarding of Neighborhood Council "Get Out To Vote Material" or Emails.
- Ballot Design
- Neighborhood Council Endorsed Election Procedures/Policies
- Neighborhood Council Bylaws (Received from the Department by deadline)
- Neighborhood Council Endorsed Polling Place or Pop Up Poll Suggestions
- Stakeholder Qualifications to Vote (Neighborhood Council Bylaws or Election Procedures Stipulation Worksheet)
- Department Approved Outreach Material
- Campaign Expenditure(s)
- Volunteer Poll workers or Poll worker Bias
- Use of Police and/or Security at Polling Place or Pop Up Poll
- Voter Intimidation
- Error in Voting Instructions
- Lack of Necessary Voting Materials
- Voters Threatened by Candidates
- Electioneering by Stakeholder(s) or at Pop Up Polls
- Voter Instructions
- Known Factors Prior to Election Day (such as: polling place bias because a candidate works at the location, language translators, etc.)
- Language assistance or lack thereof at Polling Place or Pop Up Poll
- Use of LA City, EmpowerLA logo, or Neighborhood Council logo when it is used on a
 website as identification purposes for an active link to click through to the City,
 EmpowerLA or Neighborhood Council website, social media page, etc. for more
 information
- Endorsements and Sample Ballots created by and/or distributed by stakeholders or candidates that ask voters to vote for a specific candidate or candidates

Challenge Remedies

If a challenge is found to be valid, remedies will be narrowly interpreted to affect only the voters, candidates, or seats affected. Redoing the entire Neighborhood Council election is not a remedy unless the challenge affected every seat on the ballot. Remedies can include, but are not limited to, letters of correction/reprimand, disqualification of candidates or voters, Neighborhood Council funding penalties and referral to the City Attorney's Office for criminal prosecution.

XIII. Recounts

A recount of ballots will be conducted by the Poll Manager, by request only, for the purpose of verifying the number of votes counted for any Board seat in a Neighborhood Council election.

Any stakeholder who meets the criteria listed below may request in writing, including email, a recount for a specific contest or for the entire election for a Neighborhood Council election within three (3) calendar days after the election.

For a recount request to be accepted for action, the following criteria must be met:

- 1. The number of votes separating two outcomes in question must be 10% or less of the total votes cast, and:
- 2. The stakeholder(s) filing the request must have voted in the election in question and must provide the same stakeholder status verification required of voters in the election.
- 3. A recount must start no later than five (5) City of Los Angeles business days following the receipt and acceptance of a request and will be open to the public. A notice announcing the date, time, and location of the recount will be posted on the Neighborhood Council and Department websites and all candidates for the Board seat(s) being recounted will be notified.
- 4. The recount will be open to public observation provided that observers must not interfere with or in any way attempt to influence the persons conducting the recount.

The Poll Manager will certify and forward the recount results to the Neighborhood Council and EmpowerLA immediately upon completing the recount. The results of an election are considered changed only if the identity of any person who had been declared elected is changed.

XIV. Outreach for the Election

Neighborhood Councils and Applicant may set up a table to conduct exit polls and surveys within the 100 foot mark as directed by the Department.

Neighborhood Councils and Applicant are responsible for informing their stakeholders about the election. EmpowerLA will assist in outreach by providing information about the elections on its website.

xv. Videotaping

Videotaping and photography is permitted in the Polling Place on Election Day under the following conditions:

- Video/Photography is only permitted with the expressed permission of everyone at the polling place.
- Polling Place staff may not withhold permission to be photographed.
- Video/Photography will not be of voter's faces.
- Video/Photography will not be of a voter making their ballot choice.
- All persons taking video or photographs are required to sign in with the Polling Place staff and provide contact information.

Ballots may not be recorded or photographed.

XVI. Translation and Language Assistance

The following documents are available for translation: Stakeholder Registration Form, online voting, and At-Polls Voting Instructions. Translation requests will be limited to two (2) languages other than English and Spanish per Neighborhood Council.

The Department will provide language assistance on Election Day upon the request of the Neighborhood Council board. Voters may bring their own interpreters/translators on Election Day to assist them so long as the interpreters/translators sign in at the Election Registration Table.

XVII. Exit Polls and Surveys

Stakeholders, news media, or other organizations wishing to conduct a survey, exit poll, or other survey of the voters on Election Day will be permitted to do so subject to certain limitations.

Any person or group conducting surveys, exit polls, or other survey of voters are advised to remain at least 100 feet from the door of the polling place. Surveys and exit polling will be permitted as long as it does not interfere with the voting process.

Any person or group conducting a survey or exit poll is required to coordinate with the Polling Place Manager and to be respectful of poll worker priorities. All persons conducting a survey, exit poll, or other survey of voters on Election Day are required to sign in with the Polling Place staff, provide contact information, and wear a name tag for identification purposes. Polling place staff will indicate where the 100 foot mark is located with visible signage. In addition, every voter has the right not to disclose how he or she may have voted.

XVIII. Release of Election Materials

Immediately after the certification of election results for the final region, the City Clerk - Election Division shall make the following items available for pick up by the Neighborhood Council:

• Stakeholder Registration Forms (excluding stakeholder documentation) for any at polls voters

The Department shall retain all other election-related materials for a period of three months after the certification of election results after the final regional election. Thereafter, NC election-related materials will be destroyed. No NC election-related materials will retained after the three month retention period.

The newly-elected board shall designate an individual to pick up the above-mentioned material on behalf of the Neighborhood Council at a prior board meeting. The designated individual shall contact the City Clerk - Election Division to schedule an appointment to pick up the materials. All documents retained by the Neighborhood Council shall be subject to the California Public Records Act for the length of time the documents are retained by the Neighborhood Council.

XIX. Public Records Act

This is to notify all stakeholders of the policy regarding California Public Records Act (CPRA) requests for materials used in Neighborhood Council elections. Under the CPRA, a member of the public can make a valid request for public documents either in writing (including e-mail) or orally. The CPRA requires the disclosure of governmental records to the public, subject to certain exemptions.

Certain information on governmental records may be redacted: home street addresses; home telephone numbers; private e-mail addresses; signatures; or any other identifying information as determined by the Office of the City Attorney.

The following are examples of what information is subject to disclosure and what information must be redacted prior to fulfilling a CPRA request for Neighborhood Council elections:

- Stakeholder Registration Forms and ballots will only be made available for inspection after the Official Canvass is completed in order to ensure critical documents are available for use by staff when needed, to avoid any interference with the election process, and to avoid the possibility of duplication and/or fraud.
- The processed ballots and non-exempt information on the Stakeholder Registration Forms will be provided within a reasonable amount of time after the date of the election.
- In regard to the Stakeholder Registration Forms, the following information will be redacted prior to fulfilling a CPRA request: phone numbers and signatures.

The subdivision Applicant has submitted an application that contains significant personal information for the Applicants the contact data will be redacted.

Election Challenges are subject to disclosure as a public record. When requested, the name of the person filing the challenge and the grounds for filing the challenge must be disclosed. Any documentation submitted by a challenger to support his or her challenge is subject to limited disclosure.

Once a CPRA request is made, the Department will have ten (10) calendar days to respond to the request, indicating what will or will not be disclosed, the reasoning behind any decisions made, and, if applicable, the total fee for requested copies. Please note that an additional fourteen (14) calendar days to respond may be allowed if warranted by special circumstances. This ten (10) calendar day period is not the period of time in which the request must be fulfilled, but rather, the period of time in which to notify the requesting party what information will be disclosed.

Redactions must be made when members of the public view the requested materials in person and when copies are made and provided to the public. When viewed in person, the public may examine and take notes of the redacted material, but may not have access to any exempt information. When fulfilling an in-person request, a member of the staff will remain present at all times to supervise the viewing and to answer any questions that may arise.

In the event that photocopies of materials are requested, the City Clerk or the EmpowerLA will charge \$0.10 for each photocopy. Payments can be made in person or sent to the Department of Neighborhood Empowerment, 20th Floor, City Hall, 200 N. Spring Street, Los Angeles, CA 90012, prior to the copies being made. Checks should be made out to the City of Los Angeles.

xx. Disposition of Election Records

The Department shall retain all election related materials for a period of ninety (90) days after the conclusion of the election. All election-related materials will be made available to the public in accordance with the CPRA and subject to Article XXIV. After ninety (90) days of retention by the Department, all Neighborhood Council election-related materials will be disposed.

On Friday, March 24, 2017 8:09 AM, Antonio Rodriguez <antoniothefirst@gmail.com> wrote:

General,

This appears to fairly finalized confirmation of voter qualifications. Self affirmation is a go for homeless residents. We lose some. We win some.

Interesting that the Hermon subdivision vote is all self-affirmation. Wouldn't an entire self affirmation election be a good look for us?

From the FAQ I attached:

"How does a voter qualify to vote?

Answer - Skid Row Sub-Division: The Skid Row Sub-Division Election is documentation which

means that all voters will need to show documents that establish their identity and verify their stakeholder status. Homeless voters can self-affirm their status.

Answer - Hermon Sub-Division:The Hermon Sub-Division Election is Self-Affirmation which means that all voters will register and self-affirm their identity and stakeholder status. They do not need to bring any documentation.

What if the vote is homeless and does not have identification?

Answer: Homeless voters can self-affirm their status, even in Documentation elections."

Antonio

----- Forwarded message ------

From: "Stephen Box" < stephen@empowerla.org>

Date: Mar 23, 2017 11:56 PM

Subject: ELA - Sub-Division Questions

To: <antoniothefirst@gmail.com>

Cc:

Antonio,

I trust you are well!

I have attached a draft Sub-Division Election Manual and a draft Sub-Division FAQs document.
Take a read and let me know if I have answered your questions. Share with your team and let me know if I need to revise or add or clarify anything.
Best!
Stephen
Stephen Box
Director of Outreach and Communication Senior Project Coordinator
Paragraph and a f National and France and the same and
Department of Neighborhood Empowerment
200 N. Spring Street, Suite 2005
200 N. Spring Street, Suite 2005
200 N. Spring Street, Suite 2005 Los Angeles, CA 90012
200 N. Spring Street, Suite 2005 Los Angeles, CA 90012 Office 213-978-1551 Fax 213-978-1751 Email EmpowerLA@lacity.org Web www.EmpowerLA.org
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Neighborhood Council 2017 SUB-DIVISON MANUAL

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Introduction

The Department of Neighborhood Empowerment (EmpowerLA) is pleased to work with the Neighborhood Councils on Sub-Division Elections in 2017. We have developed this manual to help guide Sub-Division Applicants and Neighborhood Councils through the procedures of engaging stakeholders in the process of voting in the sub-division election.

Sub-Division Election Process

Overview

The City of LA's Administrative Code, Section 22.819, established a procedure for stakeholders to create a certified Neighborhood Council within the boundaries of one or more existing certified Neighborhood Councils.

A stakeholder who desires to form a separate Neighborhood Council within the boundaries of one or more existing Neighborhood Councils shall submit an application to the Department of Neighborhood Empowerment (Department) and identify the formation committee which will receive notices, and make decisions regarding the subdivision petition, including bylaws.

The Department will review the subdivision petition to determine if it complies with the Plan for a Citywide System of Neighborhood Councils (Plan) with the exception that the subdivision petition may propose boundaries that are within one or more existing certified Neighborhood Councils.

The Department shall conduct an election within the boundaries stated in the subdivision petition within 90 days of the Department's approval of the subdivision petition.

A stakeholder is eligible to vote in the election if the person is a stakeholder in the proposed area for subdivision or in any of the Neighborhood Councils that are proposed for subdivision.

A majority of the voters from the entire Neighborhood Council or Neighborhood Councils being subdivided must approve the subdivision in order to create the new Neighborhood Council.

The Department is authorized to promulgate any further procedure, rule or regulation necessary for the administration of the subdivision process contained in this section, including, but not limited to, conducting the election for subdivision, initial election for the subdivided Neighborhood Council's governing board, eligibility for voting at any election, and placing limitations on the number of subdivision petitions processed during any calendar year.

 <u>Sub-Division</u> <u>Meetings</u> - EmpowerLA will facilitate three Sub-Division Election meetings during the 90 days between the approval of the Sub-Division application and the Sub-Division Election, within the boundaries of the proposed Sub-Division, and open to the

public. The three meetings will all feature Election Information and the third meeting will also have an opportunity for the Sub-Division Applicants to present their case for sub-division and also for those opposed to speak in opposition to the proposal to sub-divide.

- **Sub-Division Forum** The third of the three Sub-Division Meetings will include a Sub-Division Forum which will give the applicants and those opposed to the sub-division an opportunity to present their cases.
 - o Sub-Division Applicant up to 8 minutes
 - o Sub-Division Opponent up to 8 minutes
 - o Public Comments up to 20 minutes
 - pro/con will takes turns, 1 minute each
 - o Closing Comments Opponent up to 3 minutes
 - o Closing Comments Applicant up to 3 minutes
- <u>Timeline</u> the timeline for the election is specified in the administrative code which requires the election to take place within 90 days of the Department's approval of the application. The Department will work with the Applicants to determine the election date, the election time, and the election location. The Applicant will make a final decision on the time and location during the second of the three Sub-Division Meetings.
- <u>Election</u> <u>Procedures</u> EmpowerLA, the Sub-Division Applicant, and the Neighborhood Council(s) that are the subject of the proposed sub-division will use the Election Procedures in this manual for procedures that apply to the sub-division election process.
- <u>Election</u> <u>Time</u> Polling Locations will be open for four hours. The hours of the election will be posted at EmpowerLA.org/SubDivision along with other election information and sub-division documents.
- Online Voting For Sub-Division Elections with online voting, the voter registration portal
 will open ten days in advance of the election and will remain open for seven days. Voters
 can register online and they will receive a username and PIN by email. They can then vote
 online or they can come to the polling location on election day.
- <u>Pop-Up Polls</u> In the ten days prior to the electronic voting, EmpowerLA Election staff will
 conduct Pop-Up Polls within the boundaries of the Proposed Neighborhood Council as well
 as within the boundaries of the Neighborhood Councils that are subject to the sub-division.
- <u>Sub-Division</u> <u>Ballots</u> The Sub-Division Ballot, both online and paper, will contain a sub-division statement and a yes/no question.
 - o The Xxxx Formation Committee proposes to sub-divide the Yyyy Neighborhood Council and the Zzzz Neighborhood Council which would result in the formation of the proposed Xxxx Neighborhood Council.

Are you in favor of the Skid Row sub-division proposal? Yes or No

• Online voting will be open up to the close of the polling location.

- Canvass of Votes At the close of polling, the room will be cleared and reset for the canvass of votes. The room will be open to the public with a designated space for observers and for media. There will be no interruptions or disruptions during the canvass of votes. The Preliminary Canvass of Votes will be presented to the public when the canvass is completed and a copy will be posted at the polling location and online at EmpowerLA.org and will be distributed to the Sub-Division formation committee as well as the Neighborhood Councils affected by the proposed subdivision.
- <u>Eligibility to vote</u> A stakeholder is eligible to vote in the election if the person is a stakeholder in the proposed area for subdivision or in any of the Neighborhood Councils that are proposed for subdivision.
- <u>Defaults</u> EmpowerLA will set defaults for necessary election information, such as the election day, time, location, Pop-Up polls, etc. if the Applicant of the Neighborhood Councils that are proposed for subdivision do not provide the information by the set deadlines.
- <u>Public</u> <u>Funds</u> Neighborhood Councils that are proposed for subdivision can spend their funds to conduct outreach and to promote participation in the Sub-Division Election but they can't spend public funds to promote a position.
- <u>Sub-Division</u> <u>Positions</u> A Neighborhood Council can take an official position on a proposed Sub-Division but is limited to including it in its minutes as a method of promoting its position.
- <u>Self-Affirmation</u> <u>vs</u> <u>Documentation</u> Voters will be required to follow the election procedures of the Neighborhood Councils that are subject to the proposed sub-division.
- <u>Minimum Age to Vote</u> Voters will be required to follow the election procedures of the Neighborhood Councils that are subject to the proposed sub-division.
- <u>Sub-Division</u> <u>Applicants</u> <u>Bylaws</u> The applicant's proposed bylaws have no authority over the Sub-Division Election process which is governed by these Election Procedures as well as the bylaws of the Neighborhood Councils that are subject to the proposed sub-division.
- Approval A majority of the votes cast from the entire Neighborhood Council or Neighborhood Councils being subdivided must approve the subdivision in order to create the new Neighborhood Council. Empty ballots do not count as a vote, spoiled ballots do not count as a vote, over-votes do not count as a vote, only the ballots with one vote will count and the applicant must receive a majority of the votes in favor of the proposal in order to prevail.
- Next-Steps If the Applicant receives a majority of the votes cast, the Proposed Sub-Division Application and the proposed bylaws go to the Board of Neighborhood Commissioners (Commission) for their review, input, and approval. The Commission is authorized to make any amendments to the bylaws to satisfy Article III Section 2 of the Plan. If the Commission approves the bylaws in the subdivision petition, then the Neighborhood Council listed in the subdivision petition shall be deemed a certified Neighborhood Council

within the City of Los Angeles. The five stakeholders listed in the subdivision petition shall be authorized to work with the Department and make decisions regarding the initial election or selection of the newly certified Neighborhood Council's governing board. The Neighborhood Council or Neighborhood Councils being subdivided are not required to recertify and continue to remain certified after approval by the Commission of the bylaws.

- Sub-Division Documents The Department will create a webpage at EmpowerLA.org with
 information on the sub-division process as well as pages for each proposed Sub-Division.
 These webpages will have the ordinance, the applications, the voter registration forms, the
 list of documents, and information on the elections, how to vote as well as when and where.
 In addition there will be information on who to contact for more information.
- Rosters One of the best ways to engage voters is to enlist the support of the organizations
 within the boundaries of the councils eligible to vote. Organizations can submit rosters that
 list their members, their volunteers, or their employees so that the voters can simply show
 their identification to document their identity and then rely on the roster, which must include
 the name of the organization and an address within the boundaries of the eligible councils,
 as the verification of their stakeholder status.
- Provisional Voters All voters will be given the opportunity to vote but if a voter does not
 have the necessary documentation, they will vote provisionally which means that they will
 have three days to provide their documentation at which time their vote will then be counted.
- Recounts Any Stakeholder who voted in the election can call for a recount and the request must be made within three calendar days by 5 pm after the election.
- Challenges Any Stakeholder who voted in the election can challenge the election results by visiting the online challenge portal found at EmpowerLA.org and following the instructions.
- Neighborhood Council Exit Polls or Surveys The Sub-Division Applicant Your Neighborhood Council can develop an exit poll or survey for the voters on the Election Day to obtain information on how successful your outreach campaign was, what issues are important to them, etc. The survey cannot ask how the voters voted. The Neighborhood Council can set up a table within 100 feet of the polling place near the exit so long as the table does not block the flow of traffic. Any other organization or stakeholder with exit polls or survey must stay 100 feet outside of the polling place.
- Polling Locations The Department will conduct the Pop-Up Polls and the Election Day polling. The Poll Manager will arrive with an Election Kit, including a ballot box with lock, ballots, stakeholder registration forms, pens, paper, observer badges, volunteer badges, polling place signage, voting instructions, voting booths, ballots, colored paper for printing additional ballots, volunteer instructions, tally sheets, and report forms.
- Poll Managers for Online Voting elections will bring an additional kit with items specific to the digital portion of the election.

- The Poll Manager and poll workers will arrive to the polling place at least one hour before the polls open to set up the space. The Poll Manager will provide a layout for the polling place for easy access and flow for the voting process, including areas for:
 - Registration
 - Ballot Pick-Up
 - Voting Booths
 - Digital Voting Station (tablets, laptops or desktops)
 - Ballot Box
 - Information Kiosk
 - Special needs voter accessibility
 - The Poll Manager will announce the opening and closing of the polls. At the close of the polls, after all ballots have been placed in the locked ballot box, the Poll Manager will take possession of the ballot box while volunteers set up the room for counting. If time and the number of ballots do not permit for counting at the polling place, the Poll Manager will take the ballot box back to the EmpowerLA office for counting with notice to the public as to when the tally will take place.
 - Poll Managers at Online Election polling locations will close the polls and secure the digital election equipment according to the process established by the Department and the Online Voting Vendor.
 - **Vote Tally Counting -** When it is time to count the ballots, the Poll Manager will instruct and oversee the counting volunteers in the following steps:
 - The ballot box will be unlocked, and the ballots sorted according to color of ballot.
 - The stakeholder registration forms will be counted and quantities will be noted.
 - The total number of ballots will be counted and noted.
 - The Poll Manager will divide the ballots into manageable amounts for counting, usually no more than 100 ballots.
 - Volunteers will be divided into pairs (a caller and a marker). They are given
 pre-printed counting sheets: one volunteer calls the name of the person receiving
 a vote and the other marks down the vote on a tally sheet.
 - Online Voting results will be tabulated by the Online Voting Vendor in accordance with the process that is agreed upon by the Department, the City Clerk, and the Vendor. The results will be printed from the Online Voting system, once the polling place has closed. The tabulated results will then be posted outside the polling place in clear view for stakeholders.
 - After the count is over, the Poll Manager will package all election materials, including ballots and registration forms and return them to the IEA, who will also review the election materials. EmpowerLA will arrange the delivery of the election materials to the City Clerk on the next business day.

- Within 24 hours, the Poll Manager will post an unofficial bulletin announcing the tally of
 votes on the EmpowerLA website for public review and will also send the results to the
 Neighborhood Council. If there are provisional ballots, the deadline for submission of
 acceptable documentation is three (3) calendar days after the election. The Poll
 Manager will verify or disqualify the provisional ballots and revise the tally of votes.
- A Final Official Certified Canvass of Votes will be issued once there are no outstanding ballots to be verified. EmpowerLA will retain ballots, provisional ballots, stakeholder registration forms and tally sheets until after the deadline for challenges if there are no challenges or after the conclusion of arbitration of all challenges.

• Recounts and Challenges Timeline - 3-5 days after the election day

- Recounts may be requested within three calendar days by 5 pm after the election.
- Challenges to the election are accepted within the five calendar days by 5 pm after the election.

Election Policies

The policies set forth in this section are to supplement the Election Procedures and any other legal authorities over Neighborhood Council elections and supersede any inconsistent language in Neighborhood Council bylaws. The Department may refer back to the 2014 Neighborhood Council Election Policies or add policies as necessary in its administration of the elections.

Online and Telephonic Voting

Neighborhood Councils offering Online and Telephonic Voting will also have a traditional polling location on Election Day. They can register voters well in advance of the online voting window, and voters will be notified when the voting window is open and will be notified three days in advance of its close. Online Voters can also vote at the polling location on Election Day. Voters who register on Election Day and vote at the polls will still be voting on a digital platform. The results will be tabulated by the Online Vendor, and the results will be posted at the polling location and online at EmpowerLA.org/Elections. Neighborhood Councils should also have the results on their website if applicable.

Location Fee

The Department will pay up to \$200 for the location fee for the Sub-Division Polling Location.

Outreach

The Applicant is responsible for conducting outreach, in advance of the application's approval and then to engage the community in approving the application through the election process. The Neighborhood Councils that are proposed for subdivision are also

responsible for conducting outreach to engage the community and encourage stakeholders to vote in the election.

Inspection of Forms

Please note that Stakeholder Registration Forms and ballots will only be made available for inspection after the Final Official Certified Tally of Votes is completed in order to ensure critical documents are available for use by staff when needed, to avoid any interference with the election process, and to avoid the possibility of duplication and/or fraud. The processed ballots and non-exempt information on the stakeholder registration forms will be provided within a reasonable amount of time after the date of the election. These documents will be destroyed ninety (90) days after the final regional election.

Election Procedures

I. Introduction

These election procedures meet the minimum requirements to conduct Neighborhood Council Sub-Division elections pursuant to City Council policy and other standardized election procedures that may be issued by the Department.

II. Elections

For those Sub-Division elections conducted exclusively at the polls, the election will be a **Prepared Ballot Election**. In this election, the applicant's Sub-Division proposal will be printed on a ballot that is distributed to the voters on Election Day. Alternatively, for Neighborhood Councils voting online, the prepared ballot will be available in an electronic format.

- Proxy voting will not be allowed for this election.
- Voters may cast their ballots on the day, time and location indicated on the EmpowerLA.org website..
- If a voter with a disability is unable to access the Polling Place, curbside voting will be provided as an option for that individual. On Election Day, voters can request curbside voting by calling the Elections Division Hotline at (818) 293-VOTE (8683).

III. Location

- A. The Sub-Division Applicant can provide a location within the boundaries of the proposed Neighborhood Council no later than the second of the three community meetings conducted in advance of the election..
- B. Election locations should meet the following criteria:
 - 1. Sufficient size to accommodate the voter sign-in process and actual voting activities.
 - 2. Sufficient parking for poll workers and voters.
 - 3. Convenient for those utilizing public transportation.
 - 4. Procedures must be in place to accommodate disabled voters and in compliance with the Americans with Disability Act (ADA).

- 5. Unbiased location for stakeholders and candidates.
- 6. Available for the Neighborhood Council Election Day for at least two hours before and after the election start and finish.
- C. The election location or polling place will be published on the Department prior to the election and any change of location will be posted within 24 hours of the change.

IV. Neighborhood Council Boundaries

The boundaries of the Neighborhood Council are set forth in its bylaws. Where a map of a Neighborhood Council does not match the language provided in that Neighborhood Council's bylaws, the Poll Manager shall defer to the written bylaws for clarification and revise the map in accordance with specific language in a given Neighborhood Council's bylaws.

In the event specific language is not specified in a Neighborhood Council's bylaws regarding how bordering boundaries are defined for a Neighborhood Council or its internal districts/areas/quadrants/zones, the Department and Poll Manager shall consider the middle of the road as the defining border for election-related purposes, such as stakeholder (voter) verification. This will only apply when a Neighborhood Council has not specifically identified boundaries to include both sides of the street (road, avenue, boulevard) or to include or exclude any specific landmarks, parks or plots of land.

v. Definition of Stakeholder

Neighborhood Council membership is open to all stakeholders. "Stakeholders" shall be defined as those who live, work or own property in the neighborhood and also to those who declare a stake in the neighborhood as a community interest stakeholder, defined as a person who affirms a substantial and ongoing participation within the Neighborhood Council's boundaries and who may be in a community organization such as, but not limited to, educational, non-profit and/or religious organizations (Ordinance No. 182830).

- All person(s) or entities that meet the criteria for the definition of stakeholder shall be eligible to vote in the election, either at the polls, online, or by telephone (if applicable).
- Stakeholders cannot be denied the opportunity to vote for a candidate for member of the governing Board for whom they are eligible to vote.
- Stakeholders cannot be denied the opportunity to run for a Board seat for which they
 hold stakeholder status unless otherwise prohibited by the Neighborhood Council
 bylaws.
- In order to cast a ballot in the election, a stakeholder must be the age on the date of the election as stated in the Neighborhood Council's 2016 Election Procedures Stipulation Worksheet and bylaws.

vi. Stakeholder Verification

For this election, EmpowerLA will accept forms of identification for self-affirmation and documentation as prescribed by EmpowerLA's Neighborhood Council Election Acceptable Forms of Documentation. However, PO box addresses and storage facilities will not be accepted as a form of verification document for candidate and voter registration.

VII. Campaigning

- A. The use of the City of Los Angeles Seal, the Department, City Clerk or Neighborhood Council logo or any other official Neighborhood Council designation created by the Department is prohibited for use on election materials.
 - A logo is a graphic mark and/or emblem used by the City, a City department, or a Neighborhood Council that serves to facilitate immediate public recognition. A logo can consist of purely graphic symbols or icons, but can also consist of a logotype or word mark.
 - 2. Any use of a logo, regardless of intent, will be considered a violation of this article and the Neighborhood Council Election Procedures unless the logo is used as part of outreach material produced by the City, a City department, or the Neighborhood Council for the sole purposes of promoting the election. If such outreach material contains candidate names, all qualified candidates must be listed on the material.
 - 3. The purpose of this provision is to prevent candidates or supporters of candidates from campaigning under the expressed or implied endorsement or authorization of the City, a City department, or a Neighborhood Council and prevent voter confusion. Please note that any logo that is substantially similar to a City, City department, or Neighborhood Council logo may lead to voter confusion and may be subject to a challenge.
- B. The governing Board of the Neighborhood Council, acting in their official capacity as the governing Board, is prohibited from endorsing or campaigning for a specific position.for any candidate or group of candidates running for the governing Board of the Neighborhood Council. This provision does not restrict the right of individual Board members, acting as individual stakeholders, or any other stakeholders, from endorsing or campaigning for any candidate or group of candidates.
- C. No City facilities, equipment, supplies or other City resources shall be used for campaigning activities except:
 - 1. to hold a Forum sponsored by a Neighborhood Council;
 - 2. to hold a Neighborhood Council election; or
 - 3. if the individual has obtained approval from an authorized representative of a City Department or Commission (if managing a Department) for use of the facility.
- D. City resources may be used by a Neighborhood Council for impartially communicating with voters through the printing and mailing of a voter information pamphlet, which includes candidate statements and/or the posting of candidate statements on its website. To the extent that the Neighborhood Council provides candidate statements to the voters or Neighborhood Council mailing lists to candidates, all candidates shall be given access in a timely and uniform manner.

vIII. Electioneering

No campaigning or electioneering activities will be allowed within 100 feet of the Polling Place, which is measured from the door of the Polling Place where voters sign the roster and cast their ballots. Polling Place staff must place signs indicating where the 100 foot mark is located.

No campaigning or electioneering activities will be allowed within 25 feet of the Pop-Up Polling

Location, which is measured from the location of the portable poll where voters sign cast their ballots.

Electioneering includes:

- soliciting a vote or speaking to a voter on the subject of marking his or her ballot;
- placing any sign relating to any candidate;
- distributing or wearing material relating to any candidate; or
- placing a sign, distributing material, or conversing with a voter on the subject of the voter's qualifications to vote.

In addition, excessive noise and audio equipment that creates a nuisance to voters or staff within the electioneering boundaries will amount to a violation of this policy. Vehicles that have a banner or placard soliciting a vote or recommending any candidate shall remain outside the electioneering boundaries except for the discharge or loading of passengers. Activities beyond the boundaries are subject to the rules of the particular property owner and should be respected.

Any person or persons engaged in electioneering will be directed by polling place staff to cease and may be asked to leave.

IX. Self Affirmation for Homeless Voters

In Neighborhood Councils requiring documentation to verify voters, homeless voters will be exempt from providing such documentation if they affirm that they are homeless. They will need to vote on Election Day at the polling place, in person, where they will fill out a Voter Registration Form affirming that they are homeless. They will not be able to register online or vote online or at the Pop-Up Polls.

x. Polling Place Operations

Only poll workers and voters engaged in voting may be within the voting booth area during the time the polls are open.

- A. **Curbside Vote:** If a voter with a disability is unable to access a polling place, a volunteer who is designated by the Department shall hand-carry a ballot and a Stakeholder Registration Form (if needed) to any physically challenged voter at the polling site for completion in the general area of the polling site. Once marked, the ballot shall be placed into an envelope, and then the envelope shall be sealed. The volunteer shall return the completed Stakeholder Registration Form to the poll workers for processing, and the sealed envelope containing the ballot shall be deposited into the ballot box.
- B. **Observers:** Prior to opening, all Observers must wait outside while the poll workers set up the Polling Place. Observers will be permitted to enter the Polling Place once the polling site officially opens for voting. All Observers must sign in with Staff. A badge will be issued and must be worn at all times. When leaving for the day/evening, the Observer

must sign out and return the badge to the Poll Manager.

- Observers may not interfere in the election or the voting process. Observers cannot assist in operations, touch or handle any ballots or other election-related materials.
- Observers may not talk to or solicit voters in the Polling Place.
- Observers are allowed to videotape Polling Place operations pursuant to Article XXI.
 Videotaping.
- Observers have the right to ask poll workers questions regarding election procedures
 and to receive answers or be directed to the appropriate official for responses to
 questions. If, however, persistent questioning disrupts the execution of their duties,
 the poll workers can stop responding and direct the observers to the Poll Manager
 for all further answers. If disruptions persist, the Observer may be asked to leave the
 polling place.
- C. Provisional Voting: A voter may cast a provisional ballot if the voter's eligibility to vote in the election cannot be determined in favor of the voter at the time the voter attempts to cast his or her ballot. The only acceptable basis for challenging a voter's right to vote at the Polling Place will be that the person is not a stakeholder as defined by the Neighborhood Council bylaws.
 - If a voter is challenged on the basis of insufficient documentation, the voter may produce any of the documentation outlined in these Election Procedures at which time the voter will be issued a regular ballot.

If a voter cannot produce the required documentation, then the voter will be offered the opportunity to vote a provisional ballot. The provisional ballot will be the same as regular ballot, except that prior to placement in the ballot box the provisional ballot will be placed inside a provisional envelope. On the outside of the envelope the voter will provide:

- 1. The voter's name.
- 2. The voter's address.
- 3. The voter's stakeholder status.
- 4. The voter's contact number(s), e.g. mobile or other telephone number.
- 5. The voter's email address
- 6. When a voter casts a provisional ballot, the voter will be issued instructions that explain what steps the voter must take to qualify the provisional ballot, including documentation required to be submitted, where the documentation is to be submitted, and a contact number to request assistance or seek additional information. The deadline for submission of acceptable documentation shall be three (3) calendar days after the election. EmpowerLA and the City Clerk will be responsible for the verification of the provisional ballots.

XI. Tabulation of Votes and Election Certification

For at-poll only elections, EmpowerLA will be responsible for tabulating the ballots and announcing the unofficial results on election day or as soon thereafter as possible. For electronic voting, Everyone Counts will tally online votes and provide the results to EmpowerLA at the close of the at-poll election. EmpowerLA will combine the online votes with at-poll votes and announce the unofficial results on election day or as soon thereafter as possible. The Department will verify any provisional ballots for inclusion in the Final Official Certified Canvass if Votes.

The Final Official Certified Canvass of Votes shall occur on Election Day at the polling place

barring the need to count any additional outstanding ballots. The canvass of votes will be open to the public, for observation, provided that the observers must not interfere with or attempt to influence the vote tabulation in any way.

The Applicant needs a majority of the ballots cast in order to prevail.

The Poll Manager will submit the Final Official Certified Canvass of Votes to the Applicant and the Neighborhood Councils that are proposed for sub-division.

EmpowerLA will post the Final Official Certified Canvass of Votes on the EmpowerLA website immediately upon completion.

xII. Challenges

Election Challenges

Any stakeholder who voted and submits the same stakeholder documentation required of the voters in an election may file a challenge to the conduct of that election no later than 5 p.m. on the 5th calendar day after that election by filing an election challenge on the EmpowerLA Election Challenge Portal (http://empowerla.org/election-challenge-process/). In addition to the information below, specific instructions regarding how to file a challenge and how the challenge will be handled are provided on the Portal.

The written request must meet the following requirements:

- 1. Identify the basis for the challenge to the election.
- 2. Identify the person(s) issuing the challenge and their contact information.
- 3. Identify up to 3 witnesses and provide their statements via a Witness Statement Form provided <u>here</u>.
- 4. Provide all supporting documentation, including any witness statements (none will be accepted after the request is filed).
- 5. The supporting documentation must prove that the alleged challenge is not only valid, but would also have made a difference in the election outcome. Challenges without such supporting documentation will automatically be rejected.

All of the submitted information is public information and will be listed on our elections website even if the challenge is withdrawn later.

Election challenges will be handled by the Neighborhood Council Grievance Panels if they meet the requirements.

The following is a list of challenges that the Department will and will not process:

Challengeable:

- Incorrect Ballots
- Electioneering by Applicant
- Ballot Duplication (by Applicant or stakeholder)
- Explicit Use of City logo(s) for Campaign Materials by Candidate(s) (including LA City, EmpowerLA logo, Neighborhood Council logo, and any other City department logo)
- Neighborhood Council Board Endorsement

- Americans with Disabilities Act (ADA) Accessible Facility (if curbside voting was not available)
- Multiple Voting any voter who casts multiple ballots in one Neighborhood Council election illegally

Any area not listed above is non-challengable, including, but not limited to:

- Lack of Outreach (outreach performed by a Neighborhood Council, the Department, or any other City entity)
- Published Articles (challenges based on election information published in media such as the Internet [including blogs], newspaper[s], or any other type of media)
- Translated Election Material
- Information Forums
- Polling Place or Pop Up Poll Location Selection
- Change of Polling Place or Pop Up Poll Location
- Email Forwarding of Neighborhood Council "Get Out To Vote Material" or Emails.
- Ballot Design
- Neighborhood Council Endorsed Election Procedures/Policies
- Neighborhood Council Bylaws (Received from the Department by deadline)
- Neighborhood Council Endorsed Polling Place or Pop Up Poll Suggestions
- Stakeholder Qualifications to Vote (Neighborhood Council Bylaws or Election Procedures Stipulation Worksheet)
- Department Approved Outreach Material
- Campaign Expenditure(s)
- Volunteer Poll workers or Poll worker Bias
- Use of Police and/or Security at Polling Place or Pop Up Poll
- Voter Intimidation
- Error in Voting Instructions
- Lack of Necessary Voting Materials
- Voters Threatened by Candidates
- Electioneering by Stakeholder(s) or at Pop Up Polls
- Voter Instructions
- Known Factors Prior to Election Day (such as: polling place bias because a candidate works at the location, language translators, etc.)
- Language assistance or lack thereof at Polling Place or Pop Up Poll
- Use of LA City, EmpowerLA logo, or Neighborhood Council logo when it is used on a
 website as identification purposes for an active link to click through to the City,
 EmpowerLA or Neighborhood Council website, social media page, etc. for more
 information
- Endorsements and Sample Ballots created by and/or distributed by stakeholders or candidates that ask voters to vote for a specific candidate or candidates

Challenge Remedies

If a challenge is found to be valid, remedies will be narrowly interpreted to affect only the voters, candidates, or seats affected. Redoing the entire Neighborhood Council election is not a remedy unless the challenge affected every seat on the ballot. Remedies can include, but are not limited to, letters of correction/reprimand, disqualification of candidates or voters, Neighborhood Council funding penalties and referral to the City Attorney's Office for criminal prosecution.

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XIII. Recounts

A recount of ballots will be conducted by the Poll Manager, by request only, for the purpose of verifying the number of votes counted for any Board seat in a Neighborhood Council election.

Any stakeholder who meets the criteria listed below may request in writing, including email, a recount for a specific contest or for the entire election for a Neighborhood Council election within three (3) calendar days after the election.

For a recount request to be accepted for action, the following criteria must be met:

- 1. The number of votes separating two outcomes in question must be 10% or less of the total votes cast, and;
- 2. The stakeholder(s) filing the request must have voted in the election in question and must provide the same stakeholder status verification required of voters in the election.
- 3. A recount must start no later than five (5) City of Los Angeles business days following the receipt and acceptance of a request and will be open to the public. A notice announcing the date, time, and location of the recount will be posted on the Neighborhood Council and Department websites and all candidates for the Board seat(s) being recounted will be notified.
- 4. The recount will be open to public observation provided that observers must not interfere with or in any way attempt to influence the persons conducting the recount.

The Poll Manager will certify and forward the recount results to the Neighborhood Council and EmpowerLA immediately upon completing the recount. The results of an election are considered changed only if the identity of any person who had been declared elected is changed.

XIV. Outreach for the Election

Neighborhood Councils and Applicant may set up a table to conduct exit polls and surveys within the 100 foot mark as directed by the Department.

Neighborhood Councils and Applicant are responsible for informing their stakeholders about the election. EmpowerLA will assist in outreach by providing information about the elections on its website.

xv. Videotaping

Videotaping and photography is permitted in the Polling Place on Election Day under the following conditions:

- Video/Photography is only permitted with the expressed permission of everyone at the polling place.
- Polling Place staff may not withhold permission to be photographed.
- Video/Photography will not be of voter's faces.
- Video/Photography will not be of a voter making their ballot choice.
- All persons taking video or photographs are required to sign in with the Polling Place staff and provide contact information.

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• Ballots may not be recorded or photographed.

XVI. Translation and Language Assistance

The following documents are available for translation: Stakeholder Registration Form, online voting, and At-Polls Voting Instructions. Translation requests will be limited to two (2) languages other than English and Spanish per Neighborhood Council.

The Department will provide language assistance on Election Day upon the request of the Neighborhood Council board. Voters may bring their own interpreters/translators on Election Day to assist them so long as the interpreters/translators sign in at the Election Registration Table.

XVII. Exit Polls and Surveys

Stakeholders, news media, or other organizations wishing to conduct a survey, exit poll, or other survey of the voters on Election Day will be permitted to do so subject to certain limitations.

Any person or group conducting surveys, exit polls, or other survey of voters are advised to remain at least 100 feet from the door of the polling place. Surveys and exit polling will be permitted as long as it does not interfere with the voting process.

Any person or group conducting a survey or exit poll is required to coordinate with the Polling Place Manager and to be respectful of poll worker priorities. All persons conducting a survey, exit poll, or other survey of voters on Election Day are required to sign in with the Polling Place staff, provide contact information, and wear a name tag for identification purposes. Polling place staff will indicate where the 100 foot mark is located with visible signage. In addition, every voter has the right not to disclose how he or she may have voted.

XVIII. Release of Election Materials

Immediately after the certification of election results for the final region, the City Clerk - Election Division shall make the following items available for pick up by the Neighborhood Council:

 Stakeholder Registration Forms (excluding stakeholder documentation) for any at polls voters

The Department shall retain all other election-related materials for a period of three months after the certification of election results after the final regional election. Thereafter, NC election-related materials will be destroyed. No NC election-related materials will retained after the three month retention period.

The newly-elected board shall designate an individual to pick up the above-mentioned material on behalf of the Neighborhood Council at a prior board meeting. The designated individual shall contact the City Clerk - Election Division to schedule an appointment to pick up the materials. All documents retained by the Neighborhood Council shall be subject to the California Public Records Act for the length of time the documents are retained by the Neighborhood Council.

XIX. Public Records Act

This is to notify all stakeholders of the policy regarding California Public Records Act (CPRA) requests for materials used in Neighborhood Council elections. Under the CPRA, a member of the public can make a valid request for public documents either in writing (including e-mail) or orally. The CPRA requires the disclosure of governmental records to the public, subject to certain exemptions.

Certain information on governmental records may be redacted: home street addresses; home telephone numbers; private e-mail addresses; signatures; or any other identifying information as determined by the Office of the City Attorney.

The following are examples of what information is subject to disclosure and what information must be redacted prior to fulfilling a CPRA request for Neighborhood Council elections:

- Stakeholder Registration Forms and ballots will only be made available for inspection
 after the Official Canvass is completed in order to ensure critical documents are
 available for use by staff when needed, to avoid any interference with the election
 process, and to avoid the possibility of duplication and/or fraud.
- The processed ballots and non-exempt information on the Stakeholder Registration Forms will be provided within a reasonable amount of time after the date of the election.
- In regard to the Stakeholder Registration Forms, the following information will be redacted prior to fulfilling a CPRA request: phone numbers and signatures.

The Sub-Division Applicant has submitted an application that contains significant personal information for the Applicants the contact data will be redacted.

Election Challenges are subject to disclosure as a public record. When requested, the name of the person filing the challenge and the grounds for filing the challenge must be disclosed. Any documentation submitted by a challenger to support his or her challenge is subject to limited disclosure.

Once a CPRA request is made, the Department will have ten (10) calendar days to respond to the request, indicating what will or will not be disclosed, the reasoning behind any decisions made, and, if applicable, the total fee for requested copies. Please note that an additional fourteen (14) calendar days to respond may be allowed if warranted by special circumstances. This ten (10) calendar day period is not the period of time in which the request must be fulfilled, but rather, the period of time in which to notify the requesting party what information will be disclosed.

Redactions must be made when members of the public view the requested materials in person and when copies are made and provided to the public. When viewed in person, the public may examine and take notes of the redacted material, but may not have access to any exempt information. When fulfilling an in-person request, a member of the staff will remain present at all times to supervise the viewing and to answer any questions that may arise.

In the event that photocopies of materials are requested, the City Clerk or the EmpowerLA will charge \$0.10 for each photocopy. Payments can be made in person or sent to the Department of Neighborhood Empowerment, 20th Floor, City Hall, 200 N. Spring Street, Los Angeles, CA 90012, prior to the copies being made. Checks should be made out to the City of Los Angeles.

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xx. Disposition of Election Records

The Department shall retain all election related materials for a period of ninety (90) days after the conclusion of the election. All election-related materials will be made available to the public in accordance with the CPRA and subject to Article XXIV. After ninety (90) days of retention by the Department, all Neighborhood Council election-related materials will be disposed.

ELA - Sub-Division FAQs

The City of LA's Administrative Code, Section 22.819, established a procedure for stakeholders to create a certified Neighborhood Council within the boundaries of one or more existing certified Neighborhood Councils.

A stakeholder who desires to form a separate Neighborhood Council within the boundaries of one or more existing Neighborhood Councils shall submit an application to the Department of Neighborhood Empowerment (Department) and identify the formation committee which will receive notices, and make decisions regarding the subdivision petition, including bylaws.

The Department will review the subdivision petition to determine if it complies with the Plan for a Citywide System of Neighborhood Councils (Plan) with the exception that the subdivision petition may propose boundaries that are within one or more existing certified Neighborhood Councils.

The Department shall conduct an election within the boundaries stated in the subdivision petition within 90 days of the Department's approval of the subdivision petition.

A stakeholder is eligible to vote in the election if the person is a stakeholder in the proposed area for subdivision or in any of the Neighborhood Councils that are proposed for subdivision.

A majority of the voters from the entire Neighborhood Council or Neighborhood Councils being subdivided must approve the subdivision in order to create the new Neighborhood Council.

The Department is authorized to promulgate any further procedure, rule or regulation necessary for the administration of the subdivision process contained in this section, including, but not limited to, conducting the election for subdivision, initial election for the subdivided Neighborhood Council's governing board, eligibility for voting at any election, and placing limitations on the number of subdivision petitions processed during any calendar year.

What Sub-Division Applications have been Approved?

Answer: There are two sub-division applications that were approved on January 11, 2017. The Skid Row Formation Committee's application can be found here and the Hermon Formation Committee's application can be found here.

What are the boundaries of the two proposed Neighborhood Councils?

Answer: The map of the proposed Skid Row Neighborhood Council boundaries can be found here and the map of the proposed Hermon Neighborhood Council can be found here.

Who gets to vote in the elections?

Answer: A stakeholder is defined as anyone who lives, works or owns real property in the neighborhood and also to those who declare a stake in the neighborhood as a community interest stakeholder, defined as a person who affirms a substantial and ongoing participation within the neighborhood council's boundaries and who may be in a community organization such as, but not limited to, educational, non-profit and/or religious organizations.

For the Skid Row Sub-Division election, any stakeholder of the Downtown Los Angeles Neighborhood Council, the Historic Cultural Neighborhood Council, or the proposed Skid Row Neighborhood Council can vote in the election.

If a voter is a stakeholder in DLANC and in HCNC, can they vote twice?

Answer: No. Stakeholders can cast only one vote.

How will the election be conducted?

Answer - Skid Row Sub-Division: The Skid Row Sub-Division Election will have a traditional polling location open on election day from 3pm to 7pm. In addition, there will be online voter registration, Pop-Up Polls and online voting available to stakeholders. Visit EmpowerLA.org for the link to the voter registration portal and for information on voting at the Pop-Up polls.

Answer - Hermon Sub-Division: This election is a traditional polling location election with the polls open on Saturday, April 8, 2017 from 11am to 3pm, with all voters voting on paper ballots.

How does a voter qualify to vote?

Answer - Skid Row Sub-Division: The Skid Row Sub-Division Election is documentation which means that all voters will need to show documents that establish their identity and verify their stakeholder status. Homeless voters can self-affirm their status.

Answer - Hermon Sub-Division:The Hermon Sub-Division Election is Self-Affirmation which means that all voters will register and self-affirm their identity and stakeholder status. They do not need to bring any documentation.

What proof does a voter need to show in order to vote?

Answer: This link will take you to a list of Acceptable Forms of Identification but the general requirement in a Documentation Election is that the voter provide a document or documents that established identity and stakeholder status.

What if the vote is homeless and does not have identification?

Answer: Homeless voters can self-affirm their status, even in Documentation elections.

Can an organization turn in a roster of members as verification?

Answer: Yes, this is a great way to engage local partners! Organizations can submit rosters with the organizations name and address and the names of the volunteers, employees, and members. Those voters will simply show documentation establishing their identity and then the roster will establish their stakeholder status.

PROFESSIONAL SERVICES CONTRACT

Contractor:	EVERYONE COUNTS,	INC.
Title:	On-Line Voting System	and Candidate Registration
Said Agreeme	nt is Number	of City Contracts

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CONTRACT NUMBER _____ OF CITY CONTRACTS BETWEEN THE CITY OF LOS ANGELES AND EVERYONE COUNTS, INC.

THIS CONTRACT is made and entered into by and between the City of Los Angeles, a municipal corporation, (hereinafter referred to as "CITY"), acting by and through its Departments of Neighborhood Empowerment and the Office of the City Clerk, (hereinafter referred to as the "DEPARTMENTS") and EVERYONE COUNTS, INC. located at 4435 Eastgate Mall, Suite 100, San Diego, CA 92121, (hereinafter referred to as the "CONTRACTOR").

WITNESSETH

WHEREAS, the Departments have been mandated by the City Charter and other enabling documents to implement and oversee various City ordinances, procedures and regulations related to the Citywide System of Neighborhood Councils, including the provision of operational support to the Neighborhood Councils; and

WHEREAS, the goals and objectives of the Neighborhood Council system are to: promote public participation in CITY governance and decision-making processes so that government is more responsive to local needs and requests and so that more opportunities are created to build partnerships with government to address local needs and requests; promote and facilitate communication, interaction, and opportunities for collaboration among all neighborhood councils regarding their common and disparate concerns; facilitate the delivery of CITY services and CITY government responses to neighborhood councils' problems and requests for assistance by helping neighborhood councils to both identify and prioritize their needs and to effectively communicate those needs; ensure equal opportunity to form neighborhood councils and participate in the government decision-making and problem solving process; create an environment in which all people can organize and propose their own neighborhood councils so that they develop from the grassroots of the community; foster a sense of community for all people to express ideas and opinions about their neighborhoods and their government; and

WHEREAS, the Mayor and City Council appointed the Neighborhood Council Review Commission (NCRC) to evaluate and make recommendations to the Citywide System of Neighborhood Councils and recommendation number 69 of the NCRC's final report dated September 25, 2007, entitled "The Neighborhood Council System: Past, Present, & Future" pertains to the DEPARTMENTS preparing a menu of frequently needed services and to identify vendors who can provide these services to neighborhood councils; and

WHEREAS, pursuant to Los Angeles City Charter Section 1022, the City Council or designee has determined that the work can be performed more economically or feasibly by independent contractor than by City employees; and

WHEREAS, pursuant to Los Angeles City Charter Section 371, the Departments issued a Request for Proposals ("RFP") on September 19, 2014, to competitively solicit proposals; and

WHEREAS, from among the proposals received, the DEPARTMENTS have determined that the CONTRACTOR'S offer is advantageous to the Neighborhood Councils and the DEPARTMENTS: and

WHEREAS, the CONTRACTOR has represented that it has the requisite personnel, experience and resources to provide the Services required by the DEPARTMENTS and the CONTRACTOR desires to provide the Services; and

WHEREAS, the provision of an On-Line Voting System to the Neighborhood Councils and the DEPARTMENTS is most efficiently handled through a contractual arrangement between the DEPARTMENTS and the CONTRACTOR; and

WHEREAS, the DEPARTMENTS and the CONTRACTOR have also agreed to items listed in Section 203 - Scope of Work of this Agreement and Exhibit A titled "Everyone Counts, Inc. – Scope of Work"; and

WHEREAS, the DEPARTMENTS and the CONTRACTOR have also agreed to both Exhibit B titled "Everyone Counts, Inc. – Contract Detail" and Exhibit C titled "Everyone Counts, Inc. EmpowerLA Contract Detail – Alternative Budget Solutions"; and

WHEREAS, the CITY and the CONTRACTOR are desirous of executing this Contract as authorized by the City Council and the Mayor which authorizes the General Manager of the Department of Neighborhood Empowerment and the City Clerk to prepare and execute the Contract.

NOW, THEREFORE, the CITY and the CONTRACTOR agree as follows:

I.

INTRODUCTION

§101. Parties to the Contract

The parties to this Contract:

- A. The Department of Neighborhood Empowerment of the City of Los Angeles, a municipal corporation, having its principal office at 200 North Spring Street, 20th Floor, Suite 2005, Los Angeles, California 90012.
- B. The Office of the City Clerk of the City of Los Angeles, a municipal corporation, having its principal office at 200 North Main Street, 3rd Floor, Room 360, Los Angeles, CA 90012
- C. The Contractor, known as Everyone Counts, Inc., having its principal office located at 4435 Eastgate Mall, Suite 100, San Diego, CA 92121.

§102. Representatives of the Parties and Service of Notice

- A. The representatives of the respective parties who are authorized to administer this Contract and to whom formal notices, demands and communications shall be given are as follows:
 - 1. The representative of the CITY shall be, unless otherwise stated in the Contract:

Grayce Liu, General Manager Department of Neighborhood Empowerment City of Los Angeles 200 North Spring Street, 20th Floor Suite 2005 Los Angeles, CA 90012

Greg Allison, Executive Officer Office of the City Clerk City of Los Angeles 200 North Spring Street, 3rd Floor Room 360 Los Angeles, CA 90012

With copies to:

Jeffrey S. Brill, Administrative Services Division Department of Neighborhood Empowerment City of Los Angeles 14410 Sylvan Street, Suite 401 Los Angeles, CA 90012

Greg Allison, Executive Officer Office of the City Clerk City of Los Angeles 200 North Spring Street, 3rd Floor Room 360 Los Angeles, CA 90012

2. The representative of the CONTRACTOR shall be:

Rick Forry, Controller Everyone Counts, Inc. 4435 Eastgate Mall, Suite 100 San Diego, CA 92121

Shelley Furse, Regional Sales Director Everyone Counts, Inc. 4435 Eastgate Mall, Suite 100 San Diego, CA 92121

- B. Formal notices, demands and communications to be given hereunder by either party shall be made in writing and may be effected by personal delivery or by registered or certified mail, postage prepaid, return receipt requested and shall be deemed communicated as of the date of mailing.
- C. If the name of the person designated to receive the notices, demands or communications or the address of such person is changed, written notice shall be given, in accord with this section, within five (5) working days of said change.

§103. Independent Contractor

A. The CONTRACTOR is acting hereunder as an independent contractor and not as an agent or employee of the CITY. No employee of the CONTRACTOR has been, is, or shall be an employee of the CTY by virtue of this Contract, and the CONTRACTOR shall so inform each employee organization and each employee who is hired or retained under this Contract. CONTRCATOR shall not represent or otherwise hold out itself or any of its directors, officers, partners, employees, or agents to be an agent or employee of the CITY.

II.

TERM AND SERVICES TO BE PROVIDED

§201. Time of Performance

The term of this Contract shall commence on date of City Clerk attestation and end 3 years from date of City Clerk attestation unless terminated as provided elsewhere in this Contract or extended by written amendment to this Contract.

Within 30 days upon date of City Clerk attestation, the DEPARTMENTS will meet (First Progress Meeting) with CONTRACTOR and the DEPARTMENTS will select one of the options expressed in Exhibit B and Exhibit C, attached hereto.

Upon close of business (5:00 p.m.), on or before September 1, 2015, CONTRACTOR will meet with DEPARTMENTS for DEPARTMENTS to determine if CONTRACTOR can complete the Option selected by DEPARTMENTS at First Progress Meeting with CONTRACTOR. If DEPARTMENTS determine in the DEPARTMENTS discretion that CONTRACTOR is unable to complete the CITY'S selected Option at the First Progress Meeting with CONTRACTOR, then the DEPARTMENTS may immediately terminate this contract by providing written notice.

This Contract is contingent upon Los Angeles City Council approval and transfer of Funds to DEPARTMENTS. If funds are not approved or transferred by the Los Angeles City Council, then this contract is immediately terminated.

§202. Purpose of the Contract

The purpose of this Contract is to provide an On-Line Voting System and Candidate Registration for the Neighborhood Councils (NCs) and the Department of Neighborhood Empowerment and the Office of the City Clerk (DEPARTMENTS).

§203. Scope of Services

The proposed scope of work required for an On-Line Voting System and Candidate Registration will include, but are not limited to the following and as listed on the Exhibit A which is attached to this agreement and incorporated herein:

NC Online Voting System Requirements:

- CONTRACTOR shall provide an online voting system that is available for access by voters during the voting period of the NC Elections. The system shall be available twenty-four (24) hours per day, seven (7) days per week from the opening day through the scheduled closing day.
- 2. CONTRACTOR's online voting system shall handle the registration and processing of votes for all eligible voters in the Neighborhood Council system. There are 96 certified Neighborhood Councils with an estimated 1,800board seats and eligible voters include any person who lives, works or owns real property in the neighborhood and also any person that declares a stake as a community interest stakeholder. A community interest stakeholder is

any person who affirms a substantial and ongoing participation within the Neighborhood Council boundaries and who may be in the community organization such as, but not limited educational, non-profit and/or religious organizations. Thus, the same individual may be eligible to vote in numerous Neighborhood Councils.

- 3. CONTRACTOR fee for services are contained in Exhibit B and Exhibit C herein attached. This process along with a final schedule shall be determined after the contract is awarded.
- CONTRACTOR'S online system shall accommodate the 96 different Neighborhood Council's balloting systems and capable of ranking votes for an instant run off.
- 5. CONTRACTOR'S online voting system shall be capable of handling all voters accessing their ballots simultaneously.
- 6. DEPARTMENTS shall provide to CONTRACTOR voting instructions in English and translated files in Spanish, Korean, Tagalog, Armenian, Farsi, Thai, Vietnamese, Russian, Chinese and Japanese.
- 7. CONTRACTOR shall provide Ballots through a secure SFTP site in English and other languages that may be required.
- 8. CONTRACTOR shall provide the ability for: individuals to vote in multiple NC elections; Candidates to run in multiple NC elections; and, Candidates to run for multiple seats on an NC board.
- 9. CONTRACTOR's system shall generate unique individual passcodes using a mix of capital (upper case) letters and numbers, up to a maximum of six (6) characters.
- 10. CONTRACTOR shall prepare and transmit to DEPARTMENTS a secured electronic file to include all the passcodes and mailing address of the corresponding voter.
- 11. CONTRACTOR shall provide measures to ensure software program is secured from hacking or other compromises.
- 12. CONTRACTOR shall provide security measures in the system to verify the voter's identification information.
- 13. CONTRACTOR shall provide system's security to ensure that the automated system is not accessing the website created for the election process.

- 14. CONTRACTOR shall provide system's testing and verifications process that will include backup and recovery procedures.
- 15. CONTRACTOR shall provide documented audit trail of the voting process verifying ballots were cast during the voting period.
- 16. CONTRACTOR shall ensure the housing of the hardware in their facility and/or other sites is secured.
- 17. CONTRACTOR shall electronically submit to DEPARTMENTS daily reports of successful ballot submissions during the voting period.
- 18. CONTRACTOR shall electronically transmit to DEPARTMENTS the tabulation of votes following the close of the voting period. The results shall list each election race with the candidate with the highest number of votes first and the rest of the candidates in descending order. The results shall then be transmitted electronically to the DEPARTMENTS.
- 19. CONTRACTOR shall record, tabulate and report the voting submission used by voters submission methods (online or telephone) to the DEPARTMENTS after the voting period ends.
- 20. CONTRACTOR's system shall allow a minimum of three (3) authorized CITY personnel, at one-time, to access the NC Election results.
- 21. CONTRACTOR shall work with CITY to certify the system and oversee the election process.
- 22. CONTRACTOR shall provide at least one (1) personnel representing the company who will act CONTRACTOR'S liaison between DEPARTMENTS and CONTRACTOR in addition to the technical support team during the voting period.
- 23. CONTRACTOR shall provide knowledgeable personnel to assist in the operation, training, testing and troubleshooting of the system during the voting period.
- 24. CONTRACTOR's system will not require special software of the voter to use the online voting system.

- 25. CONTRACTOR's system shall be compatible with all Internet browsers, smart phones, tablets and other digital devices that have Internet access.
- 26. CONTRACTOR shall provide and maintain a "backup" system.
- 27. CONTRACTOR shall provide server hardware to support the voting system during development, testing and production. CONTRACTOR shall provide redundant, centralized, secured servers for the elections, as well as firewalls and hardened security methods.
- 28. CONTRACTOR shall provide detailed measures to ensure how the housing of the hardware in their non-governmental facility and/or other sites will be secured to ensure the accuracy of the votes.
- 29. CONTRACTOR'S equipment shall be capable to handle the elections.
- 30. CONTRACTOR shall provide the description of the software program to be used in meeting CITY's needs.

Voter Participation for Online Voting:

- 31. CONTRACTOR shall provide for online voting Voter Participation:
 - a. A website for a voter to log-in using a unique passcode.
 - b. A voter to view profile information about a candidate in the voter's NC or Region.
 - c. A voter presented with an online generated voter ballot. (Using data provided by DEPARTMENTS.)
 - d. A voter able to cast an online vote when the voting period has officially opened. The voter will be able to cast their ballot from any computer or other equipment that has access to the internet.
 - e. If a voter makes a mistake when voting, the system shall allow the voter to correct the choice, as long as the ballot is not submitted.
 - f. Once voter has made the applicable selections, the system shall allow the voter to review selections before submitting the vote. Voter will have cast vote when they click on "Submit".
 - g. Voter shall be issued a receipt confirming that the ballot was cast and counted. The voter shall be able to print this receipt. Print function is supplied by Browser.

32. CONTRACTOR will provide continuous building improvements to the existing voter registration component during non-election years as requested by DEPARTMENTS to support the online voter registration system.

Online Candidate Registration:

- 33. CONTRACTOR shall make available the online candidate registration system for access by candidates during the registration period for the NC Elections. The system shall be available twenty-four (24) hours per day, seven (7) days per week from the opening day through the scheduled closing day.
- 34. CONTRACTOR'S online candidate registration system will allow the candidate to input the following information:
 - a. Board name
 - b. Board position
 - c. Gender
 - d. Last name
 - e. First name
 - f. Middle initial
 - g. Residential address
 - h. If no street address, description of residence (optional)
 - i. Mailing address if different from residential address
 - j. Residential telephone number
 - k. Work telephone number
 - I. Email address
 - m. Ballot name (last, first, middle, suffix). Note: no professional titles.
 - n. The online candidate registration system will provide six (6) statements that the candidate will check signifying their agreement to each one.
 - o. The online candidate registration form shall include an automated date submitted mark.
 - p. The candidate will be able to attach a 500 character profile statement.
 - q. The candidate will be able to attach a photograph.
 - r. The candidate will be able to upload required documentation (up to three (3) candidate verification documents) proving candidate is eligible to run for the seat. This information must be verified by DEPARTMENTS prior to approving the candidate's profile to be posted.
- 35. CONTRACTOR shall provide information detailing their system's testing and verification process including backup and recovery procedures.

- 36. CONTRACTOR shall provide knowledgeable personnel to assist in the operation, training, testing and troubleshooting of the system.
- 37. CONTRACTOR'S system will not require special software of the voter to use the online voting system.
- 38. CONTRACTOR'S system shall be compatible with all Internet browsers, smart phones, tablets and other digital devices that have Internet access.
- 39. CONTRACTOR shall provide and maintain a "backup" system.
- 40. CONTRACTOR shall provide server hardware to support the online registration system during development, testing and production. CONTRACTOR shall provide redundant, centralized, secured servers for the elections, as well as firewalls and hardened security methods
- 41. CONTRACTOR shall provide detailed measures to ensure how the housing of the hardware in their non-governmental facility and/or other sites will be secured to ensure the accuracy of the votes.

42. CONTRACTOR shall provide in-house quality control and assurance program that will be applied to services provided under this contract.

- 43. CONTRACTOR'S equipment shall be capable to handle the volume of candidate responses anticipated for this election. There are approximately 1,800 seats on CITY'S 96 Certified NCs.
- 44. CONTRACTOR shall transmit electronically submit to DEPARTMENTS daily reports containing all candidate information in an Excel file during the candidate registration period.
- 45. CONTRACTOR shall provide at least one (1) personnel representing the company who will act as CONTRACTOR'S liaison between DEPARTMENTS AND CONTRACTOR in addition to the technical support team during the candidate registration period.
- 46. CONTRACTOR'S system shall allow a minimum of three (3) authorized CITY personnel, at one-time, to access the Candidate Registration system, when available.
- 47. CONTRACTOR shall provide the description of the software program to be used in meeting CITY's needs, if applicable.

Alternative Voting Method: Telephone Call-In

- 48. If the Telephone Call-In option is selected by the DEPARTMENTS, then CONTRACTOR shall provide a Telephone Call-In voting system:
 - a. CONTRACTOR shall provide a Telephone Call-In voting process for those voters unable to access the Internet or website.
 - b. CONTRACTOR shall provide their plan and methodology to assist voters using a Telephone Call-in system.
 - c. CONTRACTOR shall integrate the Telephone Call-In voting process with the online system.
 - d. CONTRACTOR shall ensure that the Telephone Call-In voting method allows the eligible voter the ability to only cast one (1) ballot per NC they are eligible to vote for.
 - e. CONTRACTOR shall be responsible for all costs associated with implementation of the alternative method.
 - CONTRACTOR shall be responsible to record, maintain, tabulate and report the alternative method of votes being cast.

Timeline and Project Tasks:

49. Once the contract is awarded and executed, CONTRACTOR and DEPARTMENTS will coordinate and create an estimated time frame for each of the Regions. There are currently 12 Regions (and approximately eight (8) NCs per Region) within the NC System that DEPARTMENTS will require an On-line Voting System for. Completion of the entire project will be encompassing all 12 Regions. With the description of the tasks provided, CONTRACTOR and DEPARTMENTS after execution of contract, shall list the expected time frame to coordinate and put the program into operation for the online voting system and candidate registration and alternative voting method - telephone call-in. Completion times for each of the 12 Regions portion of work, will be similar to the chart below:

DESCRIPTION OF PROCESS TO BE FINALIZED	PROJECTED DATE	
Candidate Registration Begins	TBD	
Candidate Registration Ends - Deadline	TBD	
Deadline for hard copy candidate registration forms	TBD	
Data delivered to CONTRACTOR	TBD	
Voter unique passcode with voter list delivered to CITY TBD		
Voter password mailed out by CITY / Website goes live	TBD	

Voting begins	TBD
Voting ends	TBD
CONTRACTOR to deliver election results to CITY	TBD
Deadline to challenge results	TBD

The 96 Certified NC Elections may run concurrently or consecutively (by Region). This process along with a final schedule (based on the format above) shall be determined after the contract is awarded.

The CONTRACTOR shall provide a proposal that considers the cost for one election for all 96 Neighborhood Councils and also a proposal that considers the cost of conducting several elections over the course of several months (e.g., 12 different elections occurring over 4 months with groups of approximately 8 Neighborhood Councils in each election).

DEPARTMENTS Responsibilities:

- 50. a. DEPARTMENTS will furnish CONTRACTOR with any other required voter information.
 - b. DEPARTMENTS shall be responsible for marketing information regarding usage of the program.
 - c. DEPARTMENTS shall provide auditors and observers as required to certify and oversee the Neighborhood Board Election process.
 - d. DEPARTMENT shall provide paper forms to candidates not using the online candidate registration system.

CONTRACTOR is required to comply with Citywide Website Design and Development Policy, per Exhibit D. CONTRACTOR is also required to comply with Citywide Web Content Policy, per Exhibit E. Additionally, the content on the eventual site must be Section 508 compliant and meet Web Content Accessibility Guidelines 2.0 success criteria levels A and AA outlined by the W3C.

III.

PAYMENT

§301. Compensation and Method of Payment

The total maximum amount for the entire contract, is not to exceed Nine Hundred Thousand Dollars (\$900,000) for the entire term of the contract. Compensation shall be based on the pricing schedule of services described in

§203, Exhibit B or Exhibit C, which is attached to this agreement and incorporated herein.

§302. Payment Processing

The payment processing for this contract is contained within this section only.

Upon this Contract becoming effective, the CONTRACTOR may submit monthly invoices, in triplicate, to the DEPARTMENTS on a monthly basis for payment in arrears of work that has been performed. The CONTRACTOR'S invoices shall be accompanied by a statement detailing the work completed. Each invoice shall specify the following: a) be submitted on the CONTRACTOR'S letterhead; b) description of work performed; c) dates of work performed; d) total amount due and payable; e) Contract Number; and, f) signature of CONTRACTOR'S authorized representative attesting that invoice submitted is true and accurate.

If DEPARTMENT select Option 1 in Exhibit B, then the payments shall be according to the following schedule:

- Phase 1 Payments Payment of submitted monthly invoices from date of City Clerk attestation through March 31, 2016 and not to exceed \$60,000 a month for a total of \$389,000.
- Phase 2 Payments Payment of submitted monthly invoices from April 1, 2016 through June 30, 2016 and not to exceed \$60,000 a month for a total of \$259,250.
- Phase 3 Payments Payment of submitted monthly invoices from July 1, 2016 through the end of the contract term and not to exceed \$60,000 a month for a total of \$221,000.

If DEPARTMENTS select Option 2 in Exhibit C, then the payments shall be according to the following schedule:

- Phase 1 Payments Payment of submitted monthly invoices within the first six (6) months from date of City Clerk attestation not to exceed \$60,000 a month for a total of \$276,000.
- Phase 2 Payments Payment of submitted monthly invoices after the first six (6) months from date of City Clerk attestation and prior to the first completed NC Election (Election Schedule TBD) and not to exceed \$60,000 a month for a total of \$138,000.
- Phase 3 Payments Payment of submitted monthly invoices after the first completed NC Election (Election Schedule TBD) and 60 days after the last completed NC and building improvements to the existing system by CONTRACTOR.

If DEPARTMENTS select Option 3 in Exhibit C, then the payments shall be according to the following schedule:

- Phase 1 Payments Payment of submitted monthly invoices within the first six (6) months from date of City Clerk attestation not to exceed \$60,000 a month for a total of \$276,000.
- Phase 2 Payments Payment of submitted monthly invoices after the first six (6) months from date of City Clerk attestation and prior to the first completed NC Election (Election Schedule TBD) and not to exceed \$60,000 a month for a total of \$138,000.
- Phase 3 Payments Payment of submitted monthly invoices after the first completed NC Election (Election Schedule TBD) and 60 days after the last completed NC and building improvements to the existing system by CONTRACTOR.

REQUEST'S FOR PAYMENTS must be submitted signed under PENALTY OF PERJURY by the CONTRACTOR'S representative designated in this Contract. The total amount of all submitted REQUESTS FOR PAYMENT will not exceed the amount specified in this Section.

Funds shall not be released electronically to CONTRACTOR from the Neighborhood Council account that work was performed for until the CITY has approved the work received and is satisfied with the documentation included in the invoice. Invoices and supporting document shall be prepared at the sole expense and responsibility of the CONTRACTOR. Invoices shall be paid in accordance with standard CITY payment processing methods.

Invoices and any supporting documentation that is in arrears shall be submitted to:

Armando Ruiz, Funding Director Department of Neighborhood Empowerment City of Los Angeles 200 North Spring Street, 20th Floor Suite 2005 Los Angeles, CA 90012

Greg Allison, Executive Officer Office of the City Clerk City of Los Angeles 200 North Spring Street, 3rd Floor Room 360 Los Angeles, CA 90012

IV.

OWNERSHIP

§401. Ownership

- A. CONTRACTOR acknowledges and agrees that all documents, reports, analyses, studies, drawings, information or data (hereinafter collectively referred to as "Materials"), originated and prepared by Contractor pursuant to the terms of this contract, are "Work Made For Hire" and shall become the property of the CITY for its use in any manner it deems appropriate. CONTRACTOR assigns any and all of its respective interests and rights in such property to the CITY for its use in any manner it deems appropriate.
- B. All documents and records (hereinafter collectively referred to as "Documents"), provided by CITY to CONTRACTOR shall remain the property of the CITY and shall be returned to the CITY upon termination of this Contract or at the request of the CITY.
- C. The provisions of Article IV survive termination of this Contract.

٧.

CONFIDENTIALITY AND RESTRICTIONS ON DISCLOSURE

§501. Confidentiality

- A. All Documents and information provided to the CONTRACTOR by the CITY are confidential. All Materials are to be considered confidential. CONTRACTOR agrees not to provide Documents and Materials, nor disclose their content or any information contained in them, either orally or in writing, to any other person or entity, except as authorized by the CITY or as required by law.
- B. The provisions of Article V survive termination of this Contract.

VI.

STANDARD PROVISIONS FOR CITY CONTRACTS

§601. Incorporation of City's Standard Provisions for Professional Services Contract

A. <u>Standard Provisions for City Contracts</u>

The City's Standard Provisions for Professional Services Contracts (Revised March 2009) are incorporated herein by reference. A copy of said Provisions is attached hereto as Exhibit F and made a part hereof.

CONTRACTOR agrees to fully comply with all requirements of this document.

B. Responsibility to Provide Services in Accordance with Applicable Standards and Requirement to Possess All Valid Permits and Licenses

CONTRACTOR warrants that the work performed hereunder shall be completed in a manner consistent with professional standards among those firms in the CONTRACTOR'S profession, doing the same or similar work, under the same or similar circumstances. CONTRACTOR must possess and maintain valid licenses and permits required to perform the services described herein.

C. Compliance with Statutes and Regulations

CONTRACTOR, in the performance of this Agreement, shall comply with all applicable statutes, rules, regulations and orders of the United States, the State of California, the County of Los Angeles, and City of Los Angeles. CONTRACTOR shall comply with any subsequent, new, amended, or revised laws, regulations, and procedures that may apply to the performance of this Contract.

D. Federal, State, and Local Taxes

Federal, State, and local taxes are the responsibility of the CONTRACTOR as an independent Contractor and not as a CITY employee.

VII.

DEFAULTS, SUSPENSION, TERMINATION, AND AMENDMENTS

§701. <u>Defaults</u>

Should the CONTRACTOR fail for any reason to comply with the contractual obligations of this Contract within the time specified by this Contract, the CITY reserves the right to:

- A. Reduce the total budget;
- B. Make any changes in the general scope of this Contract;
- C. Suspend services in accordance with §702 of this Contract; or
- D. Terminate the Contract.

§702. Suspension

The CITY may suspend all or part of the services for failure by the CONTRACTOR to comply with the terms and conditions of this Contract by giving written notice, which shall be effective upon receipt.

- A. Said notice shall set forth the specific conditions of non-compliance and the period provided for corrective action.
- B. Within ten (10) working days the CONTRACTOR shall reply in writing setting forth the corrective actions which will be undertaken, subject to CITY approval in writing.
- C. Performance under this Contract shall be automatically suspended without any notice from the CITY as of the date the CONTRACTOR is not fully insured in compliance with §401 (Insurance) herein. Performance shall not resume without the prior written approval of CITY.

§703. <u>Termination</u>

- A. Either party to this Contract may terminate this Contract or any part hereof upon giving the other party at least thirty (30) days written notice prior to the effective date of such termination, which date shall be specified in such notice.
- B. All property, documents, data, studies, reports and records purchased or prepared by the CONTRACTOR under this Contract shall be retained or disposed of according to CITY policies and procedures.
- C. In the event that the CONTRACTOR ceases to operate (i.e. dissolution of corporate status, declaration of bankruptcy, etc.) CONTRACTOR shall provide to the CITY copies of all records relating to this Contract.
- D. Upon satisfactory completion of all termination activities, the CITY shall determine the total amount of compensation that shall be paid to the CONTRACTOR for any unreimbursed expenses reasonably and necessarily incurred in the satisfactory performance of this Contract.
- E. The CITY may withhold any payments due to the CONTRACTOR until such time as the exact amount of any damages that may be due to the CITY from the CONTRACTOR is determined.

F. The foregoing Subsections B, C, D, and E shall also apply to activities terminating upon the date specified in §201 or upon completion of the performance of this Contract.

§704. Notices of Suspension or Termination

In the event that this Contract is suspended or terminated, the CONTRACTOR shall immediately notify all employees and participants and shall notify in writing all other parties contracted with under the terms of Contract within five (5) working days of such suspension or termination.

§705. Amendments

Any change in the terms of this Contract, including changes in the services to be performed by the CONTRACTOR, and any increase or decrease in the amount of compensation which are agreed to by the CITY and the CONTRACTOR shall be incorporated into this Contract by a written amendment properly executed and signed by the person authorized to bind the parties thereto.

VIII.

ENTIRE CONTRACT

§801. Complete Contract

This Contract contains the full and complete Contract between the two parties. No verbal agreement nor conversation with any officer or employee of either party shall affect or modify any of the terms and conditions of this Contract.

§802. Number of Pages and Attachments

This Contract is executed in three (3) triplicate originals, each of which is deemed to be an original. This Contract includes 22 pages and six (6) attachments (Exhibits A, B, C, D, E and F) which constitute the entire understanding and Contract of the parties.

IN WITNESS WHEREOF, the City of Los Angeles and the CONTRACTOR have caused this Agreement to be executed by their duly authorized representatives.

For: EVERYONE COUNTS, INC.	For: THE CITY OF LOS ANGELES Department of Neighborhood Empowermen
Ву	Ву
REED VICKERMAN	GRAYCE LIU
Title: COO	Title: General Manager
Date	Date
	Office of the City Clerk
APPROVED AS TO FORM:	D
MICHAEL N. FEUER, City Attorney	By GREG ALLISON
By Deputy/Assistant City Attorney	Title: Executive Officer
Date	
	ATTEST: HOLLY L. WOLCOTT, City Clerk
	Ву
City Business Tax Registration Certificate Number:	Deputy City Clerk
Said Contract is Number of City Contracts	Date

EXHIBIT "A"

SCOPE OF WORK

NC ONLINE VOTING SYSTEM REQUIREMENTS

The online voting system shall be available for access by voters during the voting period of the NC Elections. The system shall be available twenty-four (24) hours per day, seven (7) days per week from the opening day through the scheduled closing day.

Everyone Counts' Response

elect® will provide for both online and telephone voting access twenty-four (24) hours per day, seven (7) days per week from the opening day through the scheduled closing day for the NC elections.

The online voting system being offered shall be capable of handling all eligible voters within and for the 95 certified NCs, which can be divided into 12 Regions. There are approximately 1,800 seats on these NCs. However, the voting for NC seats may vary, if the seat is uncontested or if the NC holds a selection (non-secret ballot) instead of an election. Historically, 80-90 NCs will have elections.

Everyone Counts' Response

Everyone Counts will provide a fully hosted solution capable of handling all eligible voters within and for the 95 certified NCs. This includes a 10% margin in case there are additional voters. As we engage in our planning, we will confirm total registered voters and scale the system as needed.

CONTRACTOR shall provide pricing for the 95 Certified NC Elections to run concurrently
or consecutively (by Region). This process along with a final schedule shall be determined
after the contract is awarded.

Everyone Counts' Response

Everyone Counts has provided pricing for both concurrent and consecutive elections.

See Cost Breakdown for detail.



4. Each NC election has differences in the number of seats up for elections and who can vote for those seats, resulting in over 300 ballot styles. The ability to do ranked votes for instant run off voting is required.

Everyone Counts' Response

elect supports the requirement for ranked voting and instant runoff voting, as well as the requirement for more than 300 ballot styles.

5. The online voting system shall be capable of handling the amount of voters accessing their ballots simultaneously.

Everyone Counts' Response

Everyone Counts ensures that the online voting system will be capable of handling the proposed number of voters accessing their ballot simultaneously without any degradation of service.

Everyone Counts' standard infrastructure is planned to support four (4) to five (5) times the peak load anticipated. Using our innovative hosting solution, we have the ability to scale rapidly to handle additional voters as they choose participate in the election.

6. Voting instructions will be in a minimum of English, Spanish, Korean, Tagalog, Armenian, Farsi, Thai, Vietnamese, Russian, Chinese and Japanese.

Everyone Counts' Response

elect supports the requirement to provide voting instructions in multiple languages. Voting instructions are delivered in English. Translated files must be provided for Spanish, Korean, Tagalog, Armenian, Farsi, Thai, Vietnamese, Russian, Chinese, and Japanese. Everyone Counts additionally offers translation services should the Department require. The translated files are then made available in the interface, along with the English files.

Ballots are required to be in English and other languages that may be required.

Everyone Counts' Response

Everyone Counts will provide the ballots in English and any other languages that may be required. Note that translated files for languages other than English must first be provided. Everyone Counts additionally offers translation services should the Department require.

Scope of Work: NC Online Voting System Requirements Page 12 of 108



8. Because of the expansive voter pool, voters have the ability to vote in multiple NC elections. Candidates can also run in multiple NC elections. Also, NCs allow candidates to run for multiple seats on the board. The system needs to be able to accommodate this ability.

Everyone Counts' Response

elect functionality supports requirements for qualified voters to vote in multiple NC elections and qualified candidates to run in multiple NC elections and for multiple seats on the board.

The system shall generate unique individual passcodes to be used by voter to access his or her ballot: The secure, system-generated passcode shall be a mix of capital (upper case) letters and numbers, up to a maximum of six (6) characters.

Everyone Counts' Response

Using our secure voter registration and election administration tools, Everyone Counts will create unique six (6) character passcodes using a mix of capital letters and numbers, as requested.

Everyone Counts recommends a single passcode that will authenticate voters for both online and telephone voting methods. We additionally recommend the best practice of combining the unique passcode generated with secret information, such as the last four (4) digits of the voters' social security number.

CONTRACTOR will prepare the secured electronic file, which shall include the passcode
and mailing address of the corresponding voter. The electronic file will be transmitted to
CITY.

Everyone Counts' Response

Everyone Counts will prepare and securely transmit each voters' system-generated passcode and associated mailing address to the City, in an agreed upon format, such as a secure electronic file.



CONTRACTOR shall provide detailed measures being taken to ensure the program software will be secured from hacking or other compromises.

Everyone Counts' Response

While ease of use and accessibility by the voter are important, these features are irrelevant if the vote cast is not secure or is susceptible to manipulation, either intentional or accidental. For an election to be successful, each voter must be confident that his or her vote is cast in private and is reliably counted.

At Everyone Counts, security is an active philosophy and the central focus of our solution. We offer fully encrypted ballots to ensure voter anonymity, prevent tampering, provide security, and allow for vote cancellation, ensuring one person, one vote. All information transmitted between the voter's browser and the election server is encrypted using Secure Socket Layer (SSL) transmission that employs AES 256-bit encryption, with 2048-bit keys. The SSL protocol enables voters to securely communicate in a way that is designed to prevent and detect eavesdropping, tampering, and communications forgery.

For additional information, see Additional Information: How elect Keeps Voting Secure and Anonymous.

Scope of Work:

Page 14 of 108

CONTRACTOR shall provide a detailed description of the security measures in the system to verify the voter's identification information.

Everyone Counts' Response

In order to verify the voter's identity, Everyone Counts recommends two-factor authentication. This method couples "secret" information with a secure and private credential that is generated by the system and mailed to the each voter's confirmed and registered address. The secret information can be the voter's date of birth and/or the last four (4) digits of the social security number (SSN).

The information selected must be in the current eligible voter registration database. This method is considered to be the most secure for absentee style elections.

1,3. CONTRACTOR shall provide a detailed description of the system's security that will be implemented to ensure that an automated system is not accessing the website created for the election process.

NC Online Voting System Requirements



elect protects against automated systems trying to access the website by displaying a login error message to the voter if incorrect credentials are entered. The message is presented with a random, unpredictable delay of up to several seconds. This delay, while not significant to voters, makes automated attempts to login to the election server highly improbable. In addition, active monitoring tools monitor login activity and automatically lock-out IP addresses from users that repeatedly fail when attempting to log in to the election server. Election officials are alerted of any and all suspicious activity.

For more information on elect security, see Additional Information: How elect Keeps Voting Secure and Anonymous.

14. CONTRACTOR shall provide a detailed description of the system's security that will be implemented to ensure that an automated system is not accessing the website created for the election process.

Everyone Counts' Response

TESTING AND VERIFICATION PROCESSES

Everyone Counts follows a Computerized Maintenance Management System (CMMS) software development processes that includes the following:

- A rigorous design review processes to ensure product quality, starting with the initial design phase
- Developers conduct peer code reviews to ensure that all code supports and exceeds required quality standards
- All code checked into the development and production builds first undergo unit tests to ensure accurate results
- Each release must pass an extensive suite of test cases
- Proven release processes are well documented and have been used consistently for several years

Further information about our formal testing and verification process can be provided upon request for this and any other key development practices.

DISASTER RECOVERY

The following disaster scenarios detail hypothetical disaster scenarios, probable symptoms, and associated recovery plan actions.



Hardware Failure		
Scenario	Symptom	Recovery Plan
A single hardware component fails such as: Application or Web Server Database server Firewall Intrusion detection system Monitoring server Networking switch Networking router	, Each component is configured in an N+1 shared-nothing design redundancy to ensure system availability in the event of component failure. No symptoms are experienced by end users.	Replace or repair faulty hardware and place the component back ink working service.
Data Center Facilities Failure		
Scenario	Symptom	Recovery Plan
Data center facility experiences a failure in critical services, such as: HVAC Offline Power Offline Network Offline	Each of the above items, and all data center services have redundant facilities. Redundant HVAC cooling systems Redundant power using battery backup and diesel generators Redundant Internet Service Providers (ISPs) No symptoms are experienced by end users.	Work with data center to restore al services.
Data Center Offline		
ocenaria.	Symptom	Recovery Plan
A Data Center completely loses critical services, such as: Power (including backup) HVAC (including backups) Network (including backups)	No symptoms are experienced by end users.	Work with data center to restore all services.
Data Center Destroyed		
cenario	Symptom	Recovery Plan
Pata center is destroyed or endered permanently unavailable, uch as: Natural disaster Fire or flood in data center Theft or destruction of all data center hardware	No symptoms are experienced by end users.	All services are transferred to the redundant data center site.





Multiple Data Center Offline			
Scenario	Symptom	Recovery Plan	
Multiple data centers are destroyed or rendered offline.	Users are unable to reach the voting system.	Use backup data snapshots stored at the Everyone Counts' facilities and data centers.	
		Using the backup snapshots, the recovery of the voting system is restored through the sourcing of a new or temporary data center.	

15.

CONTRACTOR shall provide detailed documented proof of an audit trail of the voting process to verify that a ballot has been cast.

Everyone Counts' Response

Everyone Counts' election solutions are designed to be transparent and fully auditable. elect provides documented proof of the audit trail for the voting process used to verify that ballots have been cast.

Governments evaluating our election systems are invited to request a full copy of our source code for review by experts of their own choosing. Everyone Counts is committed to election transparency, which includes providing our complete software source code to be used in routine auditing for accuracy, fairness, and security.

Once voting is completed, each voter is issued a unique receipt code that is mathematically generated using one-way encryption. The receipt code confirms that their vote has been cast and securely received. Each receipt code is comprised of a 12-digit code of mixed letters and numbers.

Example Receipt Code: FRL3 WKH8 QAHV

Each receipt code that is included in the final count is made available for checking within elect. After casting their ballot, each user has the ability login to elect with the credentials that they used to cast their ballot. Upon login, the receipt code displays to confirm the inclusion of their selections in the count.



16.

CONTRACTOR shall provide detailed measures being taken to ensure how the housing of the hardware in their non-government facility and/or other sites will be secured.

Everyone Counts' Response

Election security begins with protecting the physical components of the voting system. All hardware systems associated with an election are stored within a secure facility to ensure that all systems contained within the data center are protected. Everyone Counts' eLect platform is deployed in enterprise-class data centers that are leading providers of data center and connectivity services. Services include managed application and network services and disaster recovery solutions. Our co-locations maintain an automatic geo-failover site for all services.

For full details about our data center facilities, including physical hardware protection, see Additional Information: How elect Keeps Voting Secure and Anonymous.

17,..

Daily total tabulations and reports of successful ballots shall be electronically submitted to DEPARTMENT for each day of the voting period.

Everyone Counts' Response

Everyone Counts provides reports showing total tabulations of successfully cast ballots. Reports can be scheduled for daily electronic transmission, or electronically provided upon request.

The elect Reporting tool allows authorized election officials to view election activity at any time by logging into the secure portal.

18.

CONTRACTOR shall be responsible to tabulate the votes following the close of the voting period. The results shall list each election race with the candidate with the highest number of votes first and the rest of the candidates in descending order. The results shall then be transmitted electronically to DEPARTMENT.

Everyone Counts' Response

Everyone Counts is responsible for the tabulation of all votes following the close of the voting period. Upon close, results are provided for each election contest. The results display the candidate with the highest number of votes first and the remaining candidates in descending order, by number of votes. The final results are then electronically transmitted to the City in a secure fashion.

Scope of Work: NC Online Voting System Requirements Page 18 of 108



19. CONTRACTOR shall record, tabulate and report the voting methods used by voters (online or telephone). CONTRACTOR shall provide statistics of the frequency of online voting and alternative method to DEPARTMENT after the voting period ends.

Everyone Counts' Response

Everyone Counts records, tabulates, and reports all voting methods used by voters. Statistics are then provided to the City after the voting period has ended to report on the frequency of use for online voting and for the use of voting alternatives offered.

Authorized election officials can log into the secure portal to view participation by voting channel (method from which ballot was cast) and time at any point in the election process.

Upon request, Everyone Counts will work with the City to monitor and examine trends by voting method and geographical area. This information can potentially be used to increase future voter turnout.

A minimum of three (3) authorized CITY personnel, at one-time, shall be able to access the NC Election results.

Everyone Counts' Response

Everyone Counts will allow for a minimum of three (3) authorized City personnel to access Neighborhood Board Election results at any one time. Authorized individuals, as determined by the City, will be identified in the planning phase.

Security and confidentiality are of utmost importance to Everyone Counts and to the populations we serve. We are committed to ensuring and safeguarding the rights of individual users of the system and the communities that they serve.

CONTRACTOR shall work with observers and auditors appointed by CITY to certify the system and oversee the election process.

Everyone Counts' Response

Everyone Counts will work with assigned observers and auditors, as appointed by the City, to certify the overall system and oversee the election process. This system of checks and balances ensures safe and secure elections and increases the confidence of voters that both their appointed and voted officials are committed to ensuring fair elections.



22. During the voting period, CONTRACTOR shall furnish a minimum of one (1) personnel representing the company who will act as CONTRACTOR'S liaison, in addition to the technical support team.

Everyone Counts' Response

In addition to a Technical Support Team and ongoing Technical Support, Everyone Counts designates at least one (1) person to represent the company and act as our liaison during the candidate registration period. We have proven experience in engaging the most relevant and appropriate staff for each assignment and have assembled targeted teams with specific expertise to serve our customers' needs.

Nick Coudsy will serve as this single point of contact.

Nick Coudsy, PMP
Project Manager / Single Point of Contact

For detailed information on Mr. Coudsy, see Key Personnel.

23. CONTRACTOR shall provide the number of technically qualified, knowledgeable personnel available to assist in the proper operation, training, testing and troubleshooting of the system.

Everyone Counts' Response

Everyone Counts will bring the full resources of the company to this election, each of which are technically qualified and have targeted knowledge in their field. There will be over 35 technical personnel at Everyone Counts available to support your election.

24. No special software shall be required of the voter to use the online voting system, beyond a standing enabled web browser.

Everyone Counts' Response

Everyone Counts fully supports this requirement. No client-side software is needed to participate in the election. No software other than a standard Web browser is required to use the online voting system.



25. The system being offered shall be compatible with all major Internet browsers and on smart phones, tablets and other common digital device that have Internet access.

Everyone Counts' Response

Everyone Counts fully supports this requirement. The eLect interface supports, at a minimum, the last three (3) full releases of the following commonly used Web browsers:



In addition to supporting multiple browser and browser versions, the elect solution automatically detects the device browser type and version and adjusts the interface accordingly. Voters using an incompatible browser will receive a notification message to this effect.

CONTRACTOR shall provide and maintain a "backup" system for the program to ensure data is not lost.

Everyone Counts' Response

There are no single points of failure in the election. Everyone Counts goes to great lengths to ensure that no data is lost, including providing geo-failover facilities.

For additional information about geo-failover and data backup processes, see Additional Information: How elect Keeps Voting Secure and Anonymous.

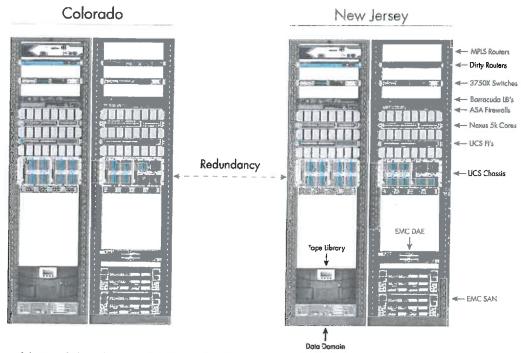
27. CONTRACTOR shall provide the server hardware to support the voting system during development, testing and production. CONTRACTOR shall provide redundant, centralized, secured servers for the elections, as well as firewalls and hardened security methods. Hardware: Exact description of the hardware to be provided; make, model, type and other technical detail specifications shall be required. The description shall include any processes, for the micro server component and how implementation to the database will be accessed.

Everyone Counts will provide all of the hardware required for the Neighborhood Board election.

Redundant, centralized, secured servers for elections, firewalls, and hardened security methods are basic standards of operations for all Everyone Counts' elections. Using elect hosted in our secure data centers, the City can be assured of:

- Two (2) data centers, based in the United States, with fully redundant hardware
- Centralized, secured servers
- Validation of operating system "hardening"
- The use of enterprise-grade firewalls and intrusion detection systems

Everyone Counts uses only modern, enterprise-grade hardware. The following diagram provides a detailed description of our system architecture:



For additional details, see Additional Information: How elect Keeps Voting Secure and Anonymous



28.

CONTRACTOR shall provide detailed measures being taken to ensure how the housing of the hardware in their non-government facility and/or other sites will be secured.

Everyone Counts' Response

Election security begins with protecting the physical components of the voting system. All hardware systems associated with an election are stored within a secure facility to ensure that all systems contained within the data center are protected. Everyone Counts' elect platform is deployed in enterprise-class data centers that are leading providers of data center and connectivity services. Services include managed application and network services and disaster recovery solutions. Our co-locations maintain an automatic geofailover site for all services.

For full details about our data center facilities, including physical hardware protection, see Additional Information: How eLect Keeps Voting Secure and Anonymous.

29.

CONTRACTOR shall provide detailed measures ensuring the accuracy of the votes, including the systems in place to prevent fraud or digital manipulation of the election results through hacking.

Everyone Counts' Response

While ease of use and accessibility for the voter is important, these features are irrelevant if the vote cast is not secure or is susceptible to manipulation, whether intentional or accidental. Using elect, ballots are encrypted using state-of-the art, military grade encryption to prevent fraud, digital manipulation, and other forms of intrusion.

At Everyone Counts, security is an active philosophy and the central focus of our solution. For an election to be successful, a voter must be confident that their vote is cast in private and is reliably counted. The entire process of an election must be governed by the concerns of security and attention must be directed to ensure that nothing in the process compromises the ability of the voter to cast his or her ballot.

For additional information about our security measures and protections against voter fraud, see Additional Information: How elect Keeps Voting Secure and Anonymous.



30.

All equipment being offered shall be of suitable quality for its intended use and be of sufficient size and capability to handle the volume of responses anticipated for this election.

Everyone Counts' Response

Everyone Counts fully satisfies this requirement with excess capacity to handle the number of voters accessing their ballots simultaneously. Our hardware and general infrastructure exceeds the City's demand requirements during the stated peak periods.

31,

CONTRACTOR shall provide the description of the software program to be used in meeting CITY's needs as specified and include any processes for the server component and how implementation to the database will be accessed.

Everyone Counts' Response

Everyone Counts' software, elect, is in its 5th full version and in a Linux, Apache, MySQL, Perl (LAMP) environment. We also utilize Java and Asterisk for specialized tasks. Databases are configured such that they are never exposed to the internet.

VOTER PARTICIPATION FOR ONLINE VOTING

32. Voter Participation for online voting:

a. The website enables a voter to log-in using a unique passcode.

Everyone Counts' Response

elect fully supports this requirement. The voter logs in to the website using a unique passcode. This passcode is:

- Generated by Everyone Counts
- Securely transmitted to the City
- Mailed to each voter at their registered address
- Required to be coupled with secret information to access the ballot



A voter will be able to view profile information about a respective candidate in the voter's NC or Region.

Everyone Counts' Response

elect allows for full candidate profiles to be available to the voter.

c.

The voter will then be presented with an online ballot generated for the voter. (Using data provided by DEPARTMENT.)

Everyone Counts' Response

The Neighborhood Commission in which an authenticated voter is registered will determine the ballot style they are given to vote. A voter will only be presented those contests and candidates for which they are authorized to vote.



d.

The voter will be able to cast a vote online, once the voting period has officially opened. The voter will be able to cast their vote from any computer or other equipment that has access to the Internet.

Everyone Counts' Response

Everyone Counts fully supports this requirement. A voter may cast their ballot/vote from any computer or other equipment that has access to the internet. This includes tablets and smartphones.

ACCESSIBLITIY FEATURES











Font size adjustment

High screen contrast

Text-to-speech audio ballot

Temporary screen blackout Adaptive accessories

Everyone Counts' platform is built with intuitive interfaces and operates using familiar adaptive accessories to ensure that all voters can fully participate in the democratic process and that no voter faces barriers in casting their ballot, including the increasing population of the recently disabled.

Font Size Adjustment

For voters with visual impairments, the ballot text can be increased to aid voters in reading instructions and contest descriptions.

High Screen Contrast

To aid voters with low vision, the high contrast screen setting can be toggled on or off to apply a high contrast color scheme to increase legibility during the ballot marking process.

Text to Speech Audio Ballot

Voters with visual impairments can have the text of the ballot read to them aloud. Everyone Counts provides the familiar experience of text-to-speech screen readers, such as JAWS, NVDA, and VoiceOver, to improving the voter experience while eliminating the need for a pre-recorded audio ballot or concern about inappropriate voice inflections and tone.

Temporary Screen Blackout

To maintain privacy throughout the ballot marking process, the screen can be toggled on and off to black out the screen of the device for voters who are blind and utilizing the audio ballot or for those who require assistance.

Adaptive Accessories

Voters may use adaptive accessories such as a Sip-N-Puff, button switches, or pedals to mark and submit their ballots independently and privately. These accessories can be the voters own, or provided by the department.

It is important to note that all these features, including the audio ballot is available to all voters accessing the online voting system, not just those that have special software installed.

In the event the voter makes a mistake when marking the ballot, the system shall allow the voter to correct the choice, as long as the ballot is not submitted.

Everyone Counts' Response

elect fully supports this requirement. A voter can login to the ballot as many times as they like, and make changes, until they have submitted a ballot.

Once the voter has made the applicable selections, the selections shall be reviewed by the voter before submitting the vote. The voter will have cast his or her vote when they click on "Submit".

Everyone Counts' Response

elect fully supports this requirement by providing the voter, prior to submitting the ballot, with a summary of the votes about to be cast. This summary is presented in writing for the online voting method and is summarized by voice for the telephone voting method.

g. After voting, the voter shall be issued a receipt confirming that the ballot was cast and counted. The receipt shall not disclose any voter information. The voter shall be able to print a copy of this receipt.

Everyone Counts' Response

Everyone Counts will provide the voter with a receipt confirming that their vote has been cast and securely received, which will be printed by the voter. The receipt will not disclose any of their selections or voter information, per the CITY's request.



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ONLINE CANDIDATE REGISTRATION

33.

CONTRACTOR shall make available the online candidate registration system for access by candidates during the registration period for the NC Elections. The system shall be available twenty-four (24) hours per day, seven (7) days per week.

Everyone Counts' Response

Everyone Counts will make the online candidate registration available 24/7 during the registration period for the NC Elections.

34.

CONTRACTOR'S online candidate registration system will allow the candidate to input the following information:

- a. Board name
- b. Board position
- c. Gender
- d. Last name
- e. First name
- f. Middle initial
- g. Residential address
- h. If no street address, description of residence (optional)
- i. Mailing address if different from residential address
- i. Residential telephone number
- k. Work telephone number
- Email address
- m. Ballot name (last, first, middle, suffix). Note: no professional titles.
- n. The online candidate registration system will provide six (6) statements that the candidate will check signifying their agreement to each one.
- The online candidate registration form shall include an automated date submitted mark.
- p. The candidate will be able to attach a 500 character profile statement.
- q. The candidate will be able to attach a photograph.
- r. The candidate will be able to upload required documentation (up to three (3) candidate verification documents) proving candidate is eligible to run for the seat. This information must be verified by DEPARTMENT prior to approving the candidate's profile to be posted.

Everyone Counts' Response

The eLect Platform supports all of the requirements as described by the City. Everyone



Counts will work with the City to ensure ease of use and reduce the amount of errors by providing drop-down lists and multi-select boxes, wherever possible.

35.

CONTRACTOR shall provide information plans detailing their system's testing and verification process. The testing and verification process shall include backup and recovery procedures.

Everyone Counts' Response

TESTING AND VERIFICATION PROCESSES

Everyone Counts follows a Computerized Maintenance Management System (CMMS) software development processes that includes the following:

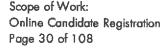
- A rigorous design review processes to ensure product quality, starting with the initial design phase
- Developers conduct peer code reviews to ensure that all code supports and exceeds required quality standards
- All code checked into the development and production builds first undergo unit tests to ensure accurate results
- Each release must pass an extensive suite of test cases
- Proven release processes are well documented and have been used consistently for several years

Further information about our formal testing and verification process can be provided upon request for this and any other key development practices.

DISASTER RECOVERY

The following disaster scenarios detail hypothetical disaster scenarios, probable symptoms, and associated recovery plan actions.

Hardware Failure		
Scenario	Symptom	Recovery Plan
A single hardware component fails such as: Application or Web Server Database server Firewall Intrusion detection system Monitoring server Networking switch Networking router	Each component is configured in an N+1 shared-nothing design redundancy to ensure system availability in the event of component failure. No symptoms are experienced by end users.	Replace or repair faulty hardware and place the component back into working service.
Data Center Facilities Failure		
5cenario	Symptom	Recovery Plan





Data center facility experiences a failure in critical services, such as:

- HVAC Offline
- Power Offine
- Network Offline

Each of the above items, and all data center services have redundant facilities.

- Redundant HVAC cooling systems
- Redundant power using battery backup and diesel generators
- Redundant Internet Service Providers (ISPs)

No symptoms are experienced by

Work with data center to restore all services.

	end users.
CO. P. Land Co.	THE RESIDENCE IN COLUMN 2 IN COLUMN 2

Scenario	Symptom	Recovery Plan
A Data Center completely loses critical services, such as: Power (including backup) HVAC (including backups) Network (including backups)	No symptoms are experienced by end users	Work with data center to restore al services.

Data Cepter Destroyed			
Scenario	Symptom	Recovery Plan	
Data center is destroyed or rendered permanently unavailable, such as:	No symptoms are experienced by end users.	All services are transferred to the redundant data center site.	

- Natural disaster
- Fire or flood in data center
- Theft or destruction of all data center hardware

Multiple Pata Center Offline			
Scenario	Symptom	Recovery Plan	
Multiple data centers are destroyed or rendered offline.	Users are unable to reach the voting system.	Use backup data snapshots stored at the Everyone Counts' facilities and data centers.	
		Using the backup snapshots, the recovery of the voting system is restored through the sourcing of a new or temporary data center.	

CONTRACTOR shall, provide the number of technically qualified, knowledgeable personnel available to assist in the proper operation, training, testing and troubleshooting of the system.



Everyone Counts will bring the full resources of the company to this election, each of which are technically qualified and have targeted knowledge in their field. There will be over 35 technical personnel at Everyone Counts available to support your election.

37

No special software shall be required of the candidate to use the online candidate registration system, beyond a standing enabled web browser.

Everyone Counts' Response

Everyone Counts fully supports this requirement. No client-side software is needed to participate in the election. No software other than a standard Web browser is required to use the online voting system.

38.

The system being offered shall be compatible with all major Internet browsers.

Everyone Counts' Response

Everyone Counts fully supports this requirement. The elect interface supports, at a minimum, the last three (3) full releases of the following commonly used Web browsers:



In addition to supporting multiple browser and browser versions, the eLect solution automatically detects the device browser type and version and adjusts the interface accordingly. Voters using an incompatible browser will receive a notification message to this effect.

39.

CONTRACTOR shall provide and maintain a "backup" system for this program to ensure data is not lost.

Everyone Counts' Response

There are no single points of failure in the election solution. Everyone Counts goes to great lengths to ensure that no data is lost, including providing geo-failover facilities.

For additional information about geo-failover and data backup processes, see Additional Information: How elect Keeps Voting Secure and Anonymous.

40

CONTRACTOR shall provide the server hardware to support the online registration system during development, testing and production. CONTRACTOR shall provide redundant, centralized, secured servers for the elections, as well as firewalls and hardened security methods. Hardware: Exact description of the hardware to be provided; make, model, type and other technical detail specifications shall be required. The description shall include any processes for the micro server component, how implementation to the database will be accessed.

Everyone Counts Response

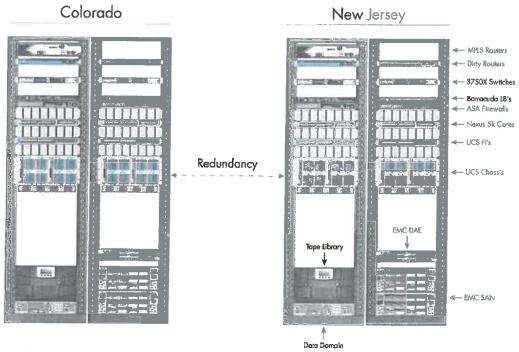
Everyone Counts will provide all of the hardware required for the Neighborhood Board election.

Redundant, centralized, secured servers for elections, firewalls, and hardened security methods are basic standards of operations for all Everyone Counts' elections. Using eLect hosted in our secure data centers, the City can be assured of:

- Two (2) data centers, based in the United States, with fully redundant hardware
- Centralized, secured servers
- Validation of operating system "hardening"
- The use of enterprise-grade firewalls and intrusion detection systems

Everyone Counts uses only modern, enterprise-grade hardware. The following diagram provides a detailed description of our system architecture:





For additional details, see Additional Information: How elect Keeps Voting Secure and Anonymous



CONTRACTOR shall provide detailed measures being taken to ensure how the housing of the hardware in their non-government facility and/or other sites will be secured.

Everyone Counts' Response

Election security begins with protecting the physical components of the voting system. All hardware systems associated with an election are stored within a secure facility to ensure that all systems contained within the data center are protected. Everyone Counts' elect platform is deployed in enterprise-class data centers that are leading providers of data center and connectivity services. Services include managed application and network services and disaster recovery solutions. Our co-locations maintain an automatic geofailover site for all services.

For full details about our data center facilities, including physical hardware protection, see Additional Information: How eLect Keeps Voting Secure and Anonymous.



42. CONTRACTOR shall provide an in-house quality control and quality assurance program that will be applied to services provided under this contract.

Everyone Counts' Response

Software Quality Assurance testing is a crucial part of our maintenance and enhancement process. We provide extensive testing and employ best practice process and procedures that are recognized by organizations such as the Quality Assurance Institute (QAI), the American Society for Quality (ASQ) and the International Institute for Software Testing (IIST).

Everyone Counts uses a common set of techniques throughout all of our test cycles including:

- End-user experience, running in multiple browser/operating configurations
- Software configuration
- Software installation and deployment
- Administrative and user experience
- Compatibility testing across multiple operating systems and browser versions
- Accessibility testing
- Unit, System, Integration, and Acceptance Testing
- Performance and stress testing
- Black Box/White Box testing
- Automated testing
- Code coverage reports
- 43. CONTRACTOR shall offer equipment of suitable quality for its intended use and be of sufficient size and capability to handle the volume of candidate responses anticipated for this election. There are approximately 1,800 seats on CITY's 95 Certified NCs.

Everyone Counts' Response

Everyone Counts fully supports this requirement. The hardware and general infrastructure capacity exceeds the demand requirements at peak periods several times over. Everyone Counts fully satisfies this requirement with excess capacity to handle the candidate responses and uploads.



44. The online candidate registration system shall be able to produce daily reports containing all candidate information in an Excel file. The results shall be transmitted electronically to DEPARTMENT.

Everyone Counts' Response

Everyone Counts ensures the ability to produce daily reporting that contains all candidate information in a Microsoft Excel format (.xls). The results of these daily reports, along with all attachments, will be electronically transmitted to the Department.

During the candidate registration period, CONTRACTOR shall furnish a minimum of one (1) personnel representing the company who will act as CONTRACTOR'S liaison, in addition to the technical support team.

Everyone Counts' Response

In addition to a Technical Support Team and ongoing Technical Support, Everyone Counts designates at least one (1) person to represent the company and act as our liaison during the candidate registration period.

Nick Coudsy will serve as this single point of contact. Everyone Counts' engages the appropriate staff and have assembled targeted teams with specific expertise to serve our customer's needs.

Nick Coudsy, PMP
Project Manager / Single Point of Contact

For detailed information on Mr. Coudsy, see Key Personnel and Resumes.

46. A minimum of three (3) authorized CITY personnel, at one-time, shall be able to access the Candidate Registration.

Everyone Counts' Response

Everyone Counts will allow for a minimum of three (3) authorized City personnel to access the Candidate Registration.

Security and confidentiality are of utmost importance to Everyone Counts and to the populations we serve. We are committed to the ongoing process of security to ensure and safeguard the rights of individual users of the system and the communities that they serve.

Scope of Work: Online Candidate Registration Page 36 of 108



47. CONTRACTOR shall provide the description of the software program to be used in meeting the CITY's needs as specified and include any processes for the server component and how implementation to the database will be accessed.

Everyone Counts' Response

Everyone Counts' software, elect Platform in its 5th full version. Everyone Counts software runs in a LAMP (Linux, Apache, MySQL, Perl) environment also utilizing Java and Asterisk for specialized tasks. Databases are configured such that they are never exposed to the internet.

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ALTERNATIVE VOTING METHOD: TELEPHONE CALL-IN

48.

In addition to the Online Voting System, a supplemental alternative method of Telephone Call-In voting will be required.

α.

An alternative, Telephone Call-In voting process for the voter to cast his or her ballot shall be provided for those voters unable to access the Internet or website.

Everyone Counts' Response

Everyone Counts proposes the use of eLect Telephone Voting as the supplemental alternative voting method. The use of eLect over the telephone offers a secure, convenient, and cost effective solution.

PROCESS FOR VOTING USING ELECT TELEPHONE VOTING

elect Telephone Voting allows a voter to cast their ballot using any touch-tone telephone. The process for voting by telephone is very similar to that of voting online: once the voter has been identified and accepted as a valid, eligible voter authorized to cast a ballot, they will be presented over the telephone with the ballot style appropriate to them.

As with elect's internet voting, users of the telephone solution will be required to enter login credentials customized for your electoral practices to access their unique ballot. elect functions similarly and with the ease of any touch-tone telephone system that requires prompts from the caller. The voter listens to the options and makes their candidate selections using the keypad. The voter hears a summary of their vote and then indicates when they have finished voting. As with any method in the elect voting system, users will be warned if they undervote and will not be permitted to overvote.

Due to its shared technology platform, elect will not allow duplicate voting within complementary channels (telephone and Internet). If dual sessions are begun on phone and internet, whichever session finishes first will be cast and the other channel will not allow a vote. A message stating this clearly will be delivered to the voter.



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CONTRACTOR shall describe their plan and methodology of the process in detail, including but not limited to the type of equipment, number of personnel, security measures needed in assisting voters to cast their ballot confidentially.

Everyone Counts' Response

Like the web interface used by eLect, the phone interface allows users to mark their preferences and cast their ballot information in audio format.

Each election can be held in a standalone configuration, or it can be conducted concurrently with a vote-by-web election, submitting ballots into the same ballot box. Voters will have the option of casting ballots through either the web or phone channel. After a ballot is cast in one channel (either by web or by phone) the voter will be unable to cast additional ballots in either channel.

NUMBER AVAILABILITY

Everyone Counts can obtain numbers in most areas, but area codes in some regions may be unavailable or subject to limited availability because they have already been allocated. Transferring and using an existing number is also an option, but requires advanced lead-time.

AUDIO PLAYBACK RATE

elect is designed for maximum accessibility for voters who are adept in using telephone prompt systems. Voters with visual impairments typically have audio perception exceeding standard playback speeds. elect provides two accelerated speeds that are available to all callers:

- Normal (default)
- Fast
- Very Fast

The audio playback rate can be changed at any time throughout a call.

CALL PAUSING

At any point during a call, a user can pause voting session and resume where they left off. If not rejoined within one hour, the session is terminated.

SOFT CLOSE

At the close of the election period, no additional callers will be accepted into the system to start a voting session. However, users who have connected to elect prior to the end of the election period will be given an additional hour to complete their vote.

Scope of Work:

Alternative Voting Method: Telephone Call-In

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Each voter that is still connected to elect will be notified by an announcing voice prompt indicating the voting will close in one hour and that they will need to to complete their ballot within that one hour time frame. No ballots are accepted after the end of the soft close period.

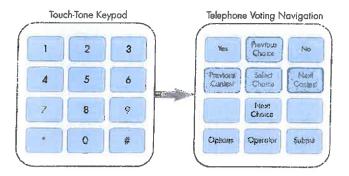
VOTING PROCESS

1. Authentication

When a voter dials into elect, they authenticate using their credentials. These credentials are identical and interchangeable to the credentials used for internet voting.

2. Marking the Ballot

After authentication, the audio ballot is read to the voter one contest at a time. While listening to the choices, the voter can select choices and navigate the ballot using touch-tone key presses. No voter training is required to use the system.



3. Review and Securely Cast

After ballot preferences have been selected, voters are read the ballot summary, warned of any undervotes, and given the opportunity to change their preferences. Once the voter is satisfied with their selections, voters submit their ballot.

The Telephone CalHn voting process shall be integrated with the online system being provided.

Everyone Counts' Response

Everyone Counts provides a telephone option that is fully integrated into the online system.

The Telephone Call-In voting method proposed shall ensure that each eligible voter will only be able to cast one (1) ballot per NC they are eligible to vote for.

Scope of Work:

Alternative Voting Method: Telephone Call-In

Page 41 of 108

d.

Everyone Counts' Response

elect ensures each eligible voter can only cast one (1) ballot, regardless of voting channel.

e.

CONTRACTOR shall be responsible for all costs associated with the implementation of the alternative method.

Everyone Counts' Response

Everyone Counts accepts the responsibility for all costs associated with the implementation of telephone voting.

f.

CONTRACTOR shall be responsible to record, maintain, tabulate and report the alternative method of votes being cast.

Everyone Counts retains and accepts the responsibility for recording, maintaining, tabulating, and reporting the results for all telephone voting.

49

Once the contract is awarded and executed, CONTRACTOR and DEPARTMENT will coordinate and create an estimated time frame for each of the Regions. There are currently 12 Regions (and approximately eight (8) NCs per Region) within the NC System that DEPARTMENT will require an On-line Voting System for. Completion of the entire project will be encompassing all 12 Regions. With the description of the tasks provided, CONTRACTOR and DEPARTMENT after execution of contract, shall list the expected time frame to coordinate and put the program into operation for the online voting system and candidate registration and alternative voting method: telephone call-in. Completion times for each of the 12 Regions portion of work, will be similar to the chart below:

DESCRIPTIONS OF PROCESS TO BE FINALIZED	PROJECT DATE
Candidate Registration Begins	TBD
Candidate Registration Ends - Deadline	TBD
Deadline for hard copy candidate registration forms	TBD
Data delivered to CONTRACTOR	TBD
Voter unique passcode with voter list delivered to CITY	TBD
Voter password mailed out by CITY / Website goes live	TBD
Voting begins	TBD
Voting ends	TBD
CONTRACTOR to deliver election results to CITY	TBD
Deadline to challenge results	TBD

The 95 Certified NC Elections may run concurrently or consecutively (by Region). This process along with a final schedule (based on the format above) shall be determined after the contract is awarded.

The Contractor shall provide a proposal that considers the cost for one election for all 95 Neighborhood Councils and also a proposal that considers the cost of conducting several elections over the course of several months (e.Q., 12 different elections occurring over 4 months with groups of approximately 8 Neighborhood Councils in each election).

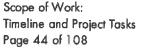


The following preliminary project schedule includes a description of each task and the expected time to complete and coordinate each task. Actual dates will be determined during the project kickoff meeting and dependent on concurrent or consecutive election cycle.

The schedule includes:

- Candidate Registration Begins
- Candidate Registration Ends Deadline
- Deadline for hard copy candidate registration forms
- Data delivered to Everyone Counts
- Everyone Counts delivers voter unique passcode with voter list to City
- Voter password mailed out to voters by the City
- Web site goes live
- Voting begins
- Voting end
- Everyone Counts delivers election results to the City
- Deadline to challenge results

Deliverable	Owner	Duration
Initiation		
Kickoff meeting	EC / CITY	1 day
Identify stakeholders	EC / CITY	3 hours
Agree on timelines	EC / CITY	3 hours
Establish point of contact	EC	i hour
Define milestones	EC / CITY	2 hours
Drafting		
Draft election and ballot data to specifications	EC	3 days
Voter file samples loaded into elect for testing	EC	1 day
Draft candidate registration to specifications	EC	3 days
Determine change authorization	EC / CITY	4 hours
Ballot drafted	EC	1 day





Teshng		
Rigorous in-house testing for system load and capacity	EC	3 days
Neighborhood Commission testing and sign off	EC / CITY	1 day
Logic and Accuracy testing	EC/CITY	2 days
Election lock down and encrypted	EC / CITY	1 day
Candidate Registration Period		
Candidate registration begins	EC / CITY	1 hour
Monitor candidate registration 24/7	EC	3 weeks
Resolve any outstanding questions	EC	Ongoing
Candidate registration ends	EC / CITY	1 hour
Deadline for hard copy candidate registration	EC / CITY	1 hour
Data delivered to Everyone Counts	EC / CITY	1 hour
Voting Period		
Voter credentials delivered to Department	EC / CITY	1 hour
Voter passwords mailed/Website goes live	CITY	1 day
Voting begins	EC / CITY	1 hour
Monitor election 24/7	EC	3 weeks
Resolve any outstanding questions	EC	Ongoing
Reports provide data to Department	EC	Ongoing
Voting ends/Election close	EC / CITY	1 hour
Post Election		777. 7
Decryption	EC / CITY	1 hour
Results	EC / CITY	1 hour
lection results delivered to City	EC	1 hour
Debrief with final report	EC / CITY	3 hours
Deadline to challenge results	EC / CITY	1 day



DEPARTMENT RESPONSIBILITIES

50.

- a. DEPARTMENT will furnish CONTRACTOR with any other required voter information.
- DEPARTMENT shall be responsible for marketing information regarding usage of the program.
- DEPARTMENT shall provide auditors and observers as required to certify and oversee the Neighborhood Board Election process.
- DEPARTMENT shall provide paper forms to candidates not using the online candidate registration system.

Everyone Counts' Response

Everyone Counts acknowledges the Department's responsibilities as detailed above.



EXHIBIT "B"

EMPOWERLA! CONTRACT DETAIL

Everyone Counts has been awarded the work described in RFP LABAVN Tracking Number DONE 2014-002 for the Los Angeles Department of Neighborhood Council, now known as EmpowerLA!

Everyone Counts, Inc. is a Software-as-a-Service company, leading election modernization by providing a perpetually state of the art solution for all binding election needs. The Saas model also provides predictable billing by spreading the cost throughout the duration of the contract. The EmpowerLA! procurement offices have indicated a desire to use a traditional billing model, reflective of the work being performed in the Fiscal Years covered by this contract. In addition, EmpowerLA! expressed two needs we are also addressing in this modification of terms:

- 1. Recognition of the fact that many NC's will not run elections in 2016. The number of elections are slated to be 85 versus the 95 that were articulated in the RFP.
- Voter Registration is a core need and deliverable that was not articulated in the RFP and therefore is out-of-scope in our proposed response. However, this has surfaced as a primary initial need for the EmpowerLA! team.

Voter Registration solutions vary in complexity; a typical state-level VR system would be in the millions of dollars. We have evaluated the needs of the EmpowerLAI requirements (which are still evolving) and do not recommend such a complex and robust system at this time; we recommend our VR Web Application, which we will need to modify from its current state to incorporate the complexities of the NC eligibility and ballot models, which are derived from GIS shape files. If separately proposed, Everyone Counts, Inc. would provide this Voter Registration Web App and our Ballot Address Locator module at the base price of \$75,000 and with customizations needed, the final price point for the module as a stand-alone, would likely exceed \$150,000.

In recognition of item #1 above, Everyone Counts will not increase pricing associated with the addition of the VR Web Application. We will provide instead, this VR Web Application for the pricing which would have been credited back for elections that do not occur. This represents a significant discount for our base VR Web Application, delivering it to EmpowerLA! for \$30,500 versus our standard pricing plus custom development pricing outlined in the previous paragraph.



The new investment pricing structure, deliverables and payments due for the duration of the contract are as follows:

Contract Year	Element	Deliverables	Investment
Year One (1)	Election platform, services and development required to set up and deliver voter registration, candidate registration, online and telephone voting.	Includes perpetually-state-of-the-art license fees for the voting platform (online, telephone) candidate registration web app, voter registration web app, along with all necessary services (such as ballot building) to set up and prepare for running the elections. This includes custom development for Voter and Candidate Registration outlined in Scope of Work. Minor changes will be allowable under this contract as agreed to by both parties, using Change Order Requests. Significant modifications or changes to the Scope of Work will be billable at rates reflected in the component pricing menu provided in the Everyone Counts RFP response.	\$389,000
Year Two (2)	Election execution	Go live with Neighborhood elections on April 1, 2016 and execute all elections each week, for the 12 week time period.	\$259,250
Year Three (3)	Post-Election Reporting, System Hosting, Services & Development	Deliver post-election professional services to deliver standard and required custom reports, maintain system hosting, additional training for transition to the EmpowerLA! team, and any additional customizations/modifications from the Scope of Work which were deemed important but not delivered during Year One due to timeline restrictions; build out and improve on implemented workflow processes based on post-election review; minor enhancements to system underpinnings to improve performance.	\$221,000

DRAFT SCOPE OF WORK - VOTER REGISTRATION WEB APP

The requirements of this component are still being understood and developed. Scope of Work is subject to change based on further needs / requirements uncovered in the discovery phase, post contract. Should significant changes / requirements be discovered that go beyond this initial outline for Scope of Work, Everyone Counts, Inc. will bill for work using the Component Pricing provided in the RFP response.

DESCRIPTION:

The Voter Registration Web App will deliver the ability for the voting public to perform self-serve voter registration through an on-line web application, available to the public through all popular and supported web-browsers, 24x7. The VR web app will be customized to enable voters to register for all NC's they may be eligible to vote in based on business and election eligibility rules provided by EmpowerLA!. Everyone Counts will provide it's underlying technology to deliver address look up and mapping for a voter's eligible NC's.

ONLINE VOTER REGISTRATION

CONTRACTOR shall make available the online voter registration system for access by voters and shall be available twenty-four (24) hours per day, seven (7) days per week.

Everyone Counts' Response

Everyone Counts will make the online voter registration available 24/7.

_2.

CONTRACTOR'S online voter registration system will allow the voter to input the following information:

- a. Last name
- b. Middle Initial
- c. First name
- d. Residential address
- e. Residential telephone number
- f. Work telephone number
- a. Email address
- h. Eligibility proof (self affirmation, documentation)

Everyone Counts' Response

The Voter Registration Web App will support all mutually agreed requirements.

Everyone Counts will work with the City to ensure ease of use, content validation and to effect reduction of input errors by providing drop down and multi-select boxes, when applicable.



Everyone Counts' Response

TESTING AND VERIFICATION PROCESSES

Everyone Counts follows standard software development processes based on CMM.

- Everyone Counts has a rigorous design review processes to ensure quality in our products right from the design phase
- Our developers conduct peer code reviews to ensure our code supports and exceeds the standards and has excellent quality
- Our developers write unit tests and ensure that the results are accurate before checking in their code
- We have extensive suite of test cases that we run against all of our releases to ensure the highest quality
- Our release processes are well documented and have been used consistently for several years.

Upon request further information may be provided to support these key Everyone Counts development practices.

DISASTER RECOVERY

The following disaster scenarios detail hypothetical disaster scenarios, and outcome and associated disaster plan.



Scenario	Symptom	Recovery Plan
Hardware Failure		
A single hardware component fails, such as: Application or web server Database server Firewall Intrusion detection system Monitoring server Networking switch Networking router	Each component is configured in an N+1 shared-nothing design. No symptoms are experienced by end users.	Replace or repair faulty hardware, and place it back into working service.
Data Center Facilities Failure		
Data center facility experiences a failure in critical services, such as: HVAC Offline Power Offline Network Offline	Each of the above items, and all data centre services have redundant facilities. HVAC - redundant cooling systems Power - battery backup, and diesel generators Network - redundant internet service providers No symptoms are experienced by end users.	Work with data center to restore all services:
Data Center Offline		
A Data Center completely loses critical services, such as: Power (including backup) HVAC (including backups) Network (including backups)	No symptoms are experienced by end users.	Work with data center to restore all services.
Data Center Destrayed		
Data center is destroyed or rendered permanently unavailable, such as: Natural disaster Fire or flood in data center Theft or destruction of all data center hardware	No symptoms are experienced by end users	All services are transferred to redundant data center site.
Multiple Data Center Offline		
Multiple data centers are destroyed or rendered offline.	Users are unable to reach the voting system.	Backup data snapshots stored at the Everyone Counts facilities, and with tapedrive backups at data centers. Using the backup snapshots, the recovery of the voting system is restored through the sourcing of a new or temporary data center.



4.

No special software shall be required of the voter to use the online voter registration system, beyond a standard, enabled web browser.

Everyone Counts' Response

Everyone Counts fully supports this requirement. No software other than a standard web browser is required. There is no client-side software that is needed to register to vote for Neighborhood elections.

5.

The system being offered shall be compatible with all major Internet browsers.

Everyone Counts' Response

Everyone Counts fully supports this requirement. The elect interface supports, at a minimum, the last three (3) full releases of standard, commonly used Web browsers. As well as supporting multiple browser and browser versions, the elect solution automatically detects the device browser type and version, making interface adjustments accordingly.

6.

CONTRACTOR shall provide and maintain a "backup" system for this program to ensure data is not lost.

Everyone Counts' Response

There are no single points of failure in the election. Everyone Counts goes to great lengths to ensure data is not lost, including geo-failover.



CONTRACTOR shall provide the server hardware to support the online registration system during development, testing and production. CONTRACTOR shall provide redundant, centralized, secured servers for the elections, as well as firewalls and hardened security methods.

Everyone Counts' Response

Everyone Counts' data centers meets this requirement. The hardware and general infrastructure capacity exceeds the demand requirements at peak periods several times over. Everyone Counts fully satisfies this requirement with excess capacity to handle the voter responses and uploads.



CONTRACTOR shall furnish a minimum of one (1) personnel representing the company who will act as CONTRACTOR'S liaison, in addition to the technical support team.

Everyone Counts' Response

In addition to a Technical Support Team and ongoing Technical Support, Everyone Counts designates at least one (1) person to represent the company and act as our liaison for voter registration system assistance.



EXHIBIT "C"

EVERYONE COUNTS - CONTRACT DETAIL -

ALTERNATIVE OPTIONS

Everyone Counts has been awarded the work described in RFP LABAVN Tracking Number DONE 2014–002 for the City of Los Angeles Department of Neighborhood Empowerment and the Office of the City Clerk (hereinafter referred to as the "DEPARTMENTS").

As an alternative to our initial Contract Detail Pricing from the original RFP Option 1, we offer two alternative Options, either of which can be procured for a total investment of \$552,000.

Option 2:

In this option, we offer this alternative pricing model to achieve budgetary goals. Option 2 provides for:

- Maximum of 50 NC elections executed through Online Voting or Telephone Voting
- Option to add additional NC elections at a rate of \$3,500 per election
- Simple Voter Registration Tool using Web Browser Interface (see description below)
- Candidate Registration Module

Option 3:

In this option, we offer this alternative pricing model to achieve budgetary goals. Option 3 provides for:

- Up to 85 NC elections executed exclusively through Online Voting (no telephone voting)
- Option to add additional NC elections at a rate of \$3,500 per election
- Simple Voter Registration Tool using Web Browser Interface (see description below)
- Candidate Registration Module

Simple Voter Registration Tool

The Scope of Work outlined in our RFP response will remain for elements described and selected. For this Alternative Pricing Model, we will provide a simple web front-end application for collecting new Voter Registrations, making it available 24x7 through standard web browser interface. Voter Registration data will be captured and forwarded for approval via .CSV files. When Voters have been approved; these files will be returned to Everyone Counts for upload into the eLect Admin Voter Management system. Note that Voter Registration was not a component in the original RFP and therefore out of scope in the SOW committed to in the RFP; an additional SOW will be generated for the Voter Registration option selected by the Department (Simple Voter Registration Tool or Voter Registration Web App). The Voter Registration SOW will be amended to the contract when requirements are finalized by the Department and mutually agreed.



EXHIBIT "D"

CITY OF LOS ANGELES

INFORMATION TECHNOLOGY POLICY COMMITTEE

Citywide Website Development and Publication Policy

Policy Number: IT-007

Effective Date: May 24, 2013

Description: Description: This policy covers minimum acceptable standards for the design and

development of Internet and intranet websites for the City of Los Angeles.

1. Overview

The City of Los Angeles (hereafter, known as "the City") creates and uses websites as a service to promptly and accurately provide information about City services, official events and other matters of importance to the City's residents, businesses, visitors, and City employees. The City's goal for these websites is to encourage increased participation in City government and to help create an information resource. Towards that end, the design and development of websites by the City are shall be guided by this Website Design and Development Policy. References to website design and development in this policy include but may not be limited to the creation and presentation of photos, images, audio, video, pages, and other visual elements that appear on a City website.

2. Purpose

The purpose of this policy is to ensure that acceptable standards are adhered to in regards to websites designed and developed by the City. City Department Heads, Elected Officials, or personnel authorized by the Department Heads or Officials will be responsible for determining what websites will be developed and deployed based on this and the Web Content Policy, and to impose standards on the use of websites.

The underlying principle in setting forth these standards is to provide direction in designing and developing websites about the City and its services that is accurate, manageable, efficient and organized. It is the responsibility of the Department Heads and Elected Officials to ensure that departmental staff adheres to City website related policies.

3. Scope

This policy applies to all websites owned or operated by the City of Los Angeles, and all involved in the management, design, development, and maintenance of these websites. This includes, but is not limited to full-time staff, part-time staff, contractors, freelancers, and other agents who perform one or more of the following roles: website managers, usability specialists, content writers, information architects, graphic designers, developers/programmers, and subject matter specialists (as defined in Section 4.1 Staff Roles and Responsibilities).

3.1. Types of City Websites

This policy defines City websites by the website's intended audience, or site visitor group.

- Internet Website Internet websites are published on the Internet for access by the General Public.
- Intranet Website Intranet websites are published on the City's intranet for access by City Employees and other authorized staff within the City's Internal network, but not accessible by the General Public
- Employee/Group Website Employee/Group websites are intranet sites published, for access restricted to an individual or group of City Employees and other staff within a City's Internal network, and not intended to be linked to by an Internet or intranet website.

4. Policy

The following rules provide direction on what the City's governing standards are with regards to the design and development of the three types of City Websites. See Citywide Web Content Policy for additional related policies. For a specific list of guidelines for the design and development of City websites, refer to section 5 of this Policy.

4.1 Staff Roles and Responsibilities. Various responsibilities are needed to ensure the usability of City websites and the accuracy and timeliness of information. These responsibilities are shared among staff roles based on definitions by Usability.gov on the Project Team page (http://usability.gov/methods/plan/assemble.html).

For Internet and intranet websites, employees performing one or more of these roles shall be identified. For Employee/Group websites, employees performing one or more of these roles shall be considered.

- Website Manager A skilled manager who actively leads and manages a complex project.
- Usability Specialist Usability specialists help work through the user-centered design process. They help evaluate websites and make recommendations for improvement.
- Content Writer(s) Writers and editors skilled in writing for the Web creating content that is accurate, up-to-date, and easy for users to read and understand.
- Information Architect(s) Information architects organizing the content and functionality on the Website into a navigation structure that is logical and usable to intended audiences.
- Graphic Designer(s) Graphic designers specializing in creating visually appealing designs that enhance the usability of the Website.
- Developer(s)/Programmer(s) Developers manage the technical aspects of the Website including any programming of the site. Developers shall develop accessible websites according to section 4.3. of this policy, or be able to provide the tools necessary for Content Writers to comply with 4.9 of the Web Content Policy.

Subject Matter Specialist(s) – People who are familiar with the topics on the site
and provide information for the site. If they are not trained in writing for the Web,
they should work with content writers and editors.

4.2. Design and Development of Official Websites

Websites should be designed and developed for official use only. The design and development of websites for disruptive, discriminatory, unethical or unprofessional activities, for personal gain, for any purpose that would jeopardize the legitimate Interests of the City, or violate any City, state or federal law is strictly prohibited. All activities related to the design and development of City websites must have approval from the appropriate authorities within a City Department or Elected Official Office.

4.3. Accessibility

Internet and intranet websites shall be designed and developed to comply with the latest Technical Standards for Web-based intranet and Internet information and applications as stated in Section 508 of the Federal Rehabilitation Act found on (http://www.section508.gov/index.cfm?fuseAction=stdsdoc). An Employee/Group website shall comply with the same standards where appropriate.

4.4. Multi-Browser Compatibility

All City Internet sites whenever possible shall be designed and developed to look and operate identically with the most, commonly used Internet browser software versions that cover at least 80% of the browser users in the United States according to the most recent statistics. One site that can be accessed for statistical information is gs.statcounter.com where filters can be set to include Browser Version, Country, Month, and Year.

Selection of Browsers for Employee Groups sites are dependent on the target audience and not subject to any of these multi-browser compatibility policies set above.

4.5. Consistent Identity and Domain

In order for the public to easily identify a City of Los Angeles website, it is required that all City Internet sites include the City seal, the words "City of Los Angeles", and their Department (or Office) Logo and/or name on each page. It is also highly recommended that the City Seal be a link back to www.lacity.org. Recommended templates can be found on the ITA intranet site on the E-Government and Web Services page.

City intranet websites are required to include the Department (or Office) Logo or name, while the City Seal and the words "City of Los Angeles" are optional.

Employee Group websites are required to display a title that identifies the project or subject matter of the site, and the name and contact info of the employee responsible for maintaining the site. It is recommended that a Department (or Office) logo and/or name also be displayed.

4.6. Inquiries and Feedback. City websites shall provide an easy way for users to give feedback and make inquiries regarding the website or information found on the website. All City websites are required to provide one of the following methods of contact on a consistent location on every page of the website:

- Email address
- Phone number including a telecommunications device for the deaf (TDD) number
- Online form for submitting feedback
- CityFone Directory
- Link to a page containing one or more of the above

Is it highly recommended that City websites provide two or more of the contact information sources listed above.

Each website inquiry and feedback function should be tested at regular intervals to verify that the functions are in good working order.

4.7. Privacy

The City, through authorized personnel, reserves the right to access and monitor all City websites without prior notification. Therefore, developers should not have the expectation of privacy with their websites even if it is intended for a small group.

4.8. California Public Records Act and Other Disclosures

Website files, including related log files, stored on City servers may be subject to release to the public upon request under the California Public Records Act (CPRA) (California Gov't Code §6250 et seq.). Employees should consult with the management of their employing agencies and departments, as well as the City Attorney's Office, to determine appropriate procedures to follow when such cases arise.

4.9. Access and Security

Access to modify City websites is limited to personnel who have been determined to have an appropriate business reason for having access. All personnel who are granted security access will be identified by an Account ID. All actions performed with an Account ID will be the responsibility of the ID's registered owner, or those delegated responsible for the account. Those responsible for the Account ID should notify the appropriate authority immediately in the event an Account ID password is compromised. To protect against passwords from being compromised, it is suggested to follow the minimum password standards in the Citywide Password Policy.

The registered owner, or those delegated responsible for the account, are required to notify the Account ID administrators if there are any changes in personnel accessing City websites (e.g., an employee leaving the department).

The City will not be responsible for any damages to City websites caused by the unauthorized use of an access account. The registered owner, or those delegated responsible for the account, are responsible for all activities that occur under their assigned account.

Measures to secure websites from defacement or server attacks must also be taken. It is highly recommended that online forms on City websites use a spam guard technique such as a CAPTCHA (Completely Automated Public Turing test to tell Computers and Humans Apart). If the forms are submitting data to a database, safeguards shall be taken to protect against common hacking techniques such as SQL Injections.

4.10 File Maintenance

Hosting and backing up website files in the production, development, and test servers require a substantial amount of system resources. To help optimize the use of these resources, the following measures shall be followed:

- o Production web servers will only host website files in the latest version
- Orphaned files (files of a website that are not linked to from the website) should be deleted from the production web servers at least every quarter. If an orphaned website file needs to be retained for a longer period, the file should be archived to an appropriate filing system.

4.11. Website Retention

Employees should be aware that certain website files may be retained according to Departments specific records retention plans. Employees involved in website design and development should be trained by their Department Heads, Elected Officials or personnel authorized by Department Heads or Officials in the appropriate record retention guidelines that apply to their Departments and/or particular assignments.

5. Guidelines

To produce professional and usable websites, it is important that along with this policy, a minimum set of standards are followed in any web design and development project. Appendix A contains a subset of guidelines taken from the Research-Based Web Design and Usability Guidelines, provided by the US Department of Health and Human Services that should be applied to the design and development of City of Los Angeles websites. More information about these guidelines and a complete set of guidelines can be found at Usability.gov.

6. Policy Enforcement

Enforcement of this Policy is the responsibility of those individuals designated by the Department Heads, Elected Officials or personnel authorized overseeing respective web site and development projects

7. Revision History

The Information Technology Policy Committee (ITPC) will periodically review and update this policy, and submit the updated policies for approval.

Below is a subset of guidelines taken from the 2nd Edition of the Research-Based Web Design and Usability Guidelines, provided by the US Department of Health and Human Services. These are the minimum set of guidelines, that should be applied to the design and development of City of Los Angeles websites. It is important to note that this set of guidelines may be updated as needed so it is important to refer to the online version of this document to obtain the latest set of guidelines. More information about these guidelines and a complete set of guidelines can be found at Usability.gov.

1. Establish User Requirements

Guideline: Use all available resources to better understand users' requirements.

Comments: The greater the number of exchanges of information with potential users, the better the developers' understanding of the users' requirements. The more information that can be exchanged between developers and users, the higher the probability of having a successful Web site. These could include customer support lines, customer surveys and interviews, bulletin boards, sales people, user groups, trade show experiences, focus groups, etc. Successful projects require at least four (and average five) different sources of information. Do not rely too heavily on user intermediaries.

The information gathered from exchanges with users can be used to build 'use cases.' Use cases describe the things that users want and need the Web site to be able to do. In one study, when compared with traditional function-oriented analyses, use cases provided a specification that produced better user performance and higher user preferences.

2. Standardize Task Sequences

Guideline: Allow users to perform tasks in the same sequence and manner across similar conditions.

Comments: Users learn certain sequences of behaviors and perform best when they can be reliably repeated. For example, users become accustomed to looking in either the left or right panels for additional information. Also, users become familiar with the steps in a search or checkout process.

3. Design for Working Memory Limitations

Guideline: Do not require users to remember information from place to place on a Web site.

Comments: Users can remember relatively few items of information for a relatively short period of time.

When users must remember information on one Web page for use on another page or another location on the same page, they can only remember about three or four items for a few seconds. If users must make comparisons, it is best to have the items being compared side-by-side so that users do not have to remember information.

4. Do Not Use Color Alone to Convey Information

Guideline: Ensure that all information conveyed with color is also available without color.

Comments: Never use color as the only indicator for critical activities. A sizable enough percentage of users have difficulty discriminating colors. Most of these users have difficulty seeing colors in the green portion of the spectrum.

To accommodate color-deficient users, designers should:

- Select color combinations that can be discriminated by users with color deficiencies;
- Use tools to see what Web pages will look like when seen by color deficient users;
- Ensure that the lightness contrast between foreground and background colors is high;
- o Increase the lightness contrast between colors on either end of the spectrum (e.g., blues and reds); and
- Avoid combining light colors from either end of the spectrum with dark colors from the middle of the spectrum.

5. Create a Positive First Impression of Your Site

Guideline: Treat your homepage as the key to conveying the quality of your site.

Comments: In terms of conveying quality, the homepage is probably the most important page on a Web site. One study found that when asked to find high quality Web sites, about half of the time participants looked only at the homepage. You will not get a second chance to make a good first impression on a user.

6. Place Important Items Consistently

Guideline: Put important, clickable items in the same locations, and closer to the top of the page, where their location can be better estimated.

Comments: Users will try to anticipate where items will appear on their screen. They will start 'searching' a page before the layout appears on their screen. When screen items remain constant, users learn their location on a page, and use this knowledge to improve task performance. Experienced users will begin moving their mouse to the area of the target before the eye detects the item. Users can anticipate the location of items near the top much better than those farther down the page.

7. Place Important Items at Top Center

Guideline: Put the most important items at the top center of the Web page to facilitate users' finding the information.

Comments: Users generally look at the top center of a page first, then look left, then right, and finally begin systematically moving down the total Web page. All critical content and navigation options should be toward the top of the page. Particularly on navigation pages, most major choices should be visible with no, or a minimum of, scrolling.

8. Align Items on a Page

Guideline: Visually align page elements, either vertically or horizontally.

Comments: Users prefer consistent alignments for items such as text blocks, rows, columns, checkboxes, radio buttons, data entry fields, etc. Use consistent alignments across all Web pages.

9. Eliminate Horizontal Scrolling

Guideline: Use an appropriate page layout to eliminate the need for users to scroll horizontally.

Comments: Horizontal scrolling is a slow and tedious way to view an entire screen. Common page layouts including fluid and left-justified may require some users to scroll horizontally if their monitor resolution or size is smaller than that used by designers.

10. Use Clear Category Labels

Guideline: Ensure that category labels, including links, clearly reflect the information and items contained within the category.

Comments: Category titles must be understood by typical users. Users will likely have difficulty understanding vague, generalized link labels, but will find specific, detailed links, and descriptors easier to use.

11. Use Dark Text on Plain, High-Contrast Backgrounds

Guideline: When users are expected to rapidly read and understand prose text, use dark text on a plain, high-contrast, non-patterned background.

Comments: Dark text on a plain background elicited reliably faster reading performance than on a medium-textured background. When compared to reading light text on a dark background, people read black text on a white background up to thirty-two percent faster. In general, the greater the contrast between the text and background, the easier the text is to read.

12. Order Elements to Maximize User Performance

Guideline: Arrange lists and tasks in an order that best facilitates efficient and successful user performance.

Comments: Designers should determine if there is an order for items that will facilitate use of the Web site. If there is, ensure that the site is formatted to support that order, and that all pages follow the same order. For example, ensure that lists of items, sets of links, and a series of tabs are in a meaningful order.

Where no obvious order applies, organize lists alphabetically or numerically. Keep in mind that it is the user's logic that should prevail rather than the designer's logic.

13. Use Simple Background Images

Guideline: Use background images sparingly and make sure they are simple, especially if they are used behind text.

Comments: Background images can make it difficult for users to read foreground text. A single, large, complex background image (including a picture) can substantially slow page download rates. If background images must be employed, use small, simple images with 'tiling,' and/or keep the image resolution as low as possible.

14. Make Action Sequences Clear

Guideline: When describing an action or task that has a natural order or sequence (assembly instructions, troubleshooting, etc.), structure the content so that the sequence is obvious and consistent.

Comments: Time-based sequences are easily understood by users. Do not force users to perform or learn tasks in a sequence that is unusual or awkward.

15. Use Mixed Case with Prose

Guideline: Display continuous (prose) text using mixed upper- and lowercase letters.

Comments: Reading text is easier when capitalization is used conventionally to start sentences and to indicate proper nouns and acronyms. If an item is intended to attract the user's attention, display the item in all uppercase, bold, or italics. Do not use these methods for showing emphasis for more than one or two words or a short phrase because they slow reading performance when used for extended prose.

16. Organize Information Clearly

Guideline: Organize information at each level of the Web site so that it shows a clear and logical structure to typical users.

Comments: Designers should present information in a structure that reflects user needs and the site's goals. Information should be well-organized at the Web site level, page level, and paragraph or list level.

Good Web site and page design enables users to understand the nature of the site's organizational relationships and will support users in locating information efficiently. A clear, logical structure will reduce the chances of users becoming bored, disinterested, or frustrated.

17. Group Related Elements

Guideline: Group all related information and functions in order to decrease time spent searching or scanning.

Comments: All information related to one topic should be grouped together. This minimizes the need for users to search or scan the site for related information. Users will consider items that are placed in close spatial proximity to belong together conceptually. Text items that share the same background color typically will be seen as being related to each other.

18. Use an Iterative Design Approach

Guideline: Develop and test prototypes through an iterative design approach to create the most useful and usable Web site.

Comments: Iterative design consists of creating paper or computer prototypes, testing the prototypes, and then making changes based on the test results. The 'test and make changes' process is repeated until the Web site meets performance benchmarks (usability goals). When these goals are met, the iterative process ends.

The iterative design process helps to substantially improve the usability of Web sites. One recent study found that the improvements made between the original Web site and the

redesigned Web site resulted in thirty percent more task completions, twenty-five percent less time to complete the tasks, and sixty-seven percent greater user satisfaction. A second study reported that eight of ten tasks were performed faster on the Web site that had been iteratively designed. Finally, a third study found that forty-six percent of the original set of issues were resolved by making design changes to the interface.

EXHIBIT "E"

CITY OF LOS ANGELES

INFORMATION TECHNOLOGY POLICY COMMITTEE

Citywide Web Content Policy

Policy Number: IT-006

Effective Date: March 27, 2013

Description: This policy covers minimum acceptable standards for content

published on websites by the City of Los Angeles.

1. Overview

The City of Los Angeles (hereafter, known as "the City") creates and uses websites as a method for making information and City services available to the City's residents, the public and private sectors, visitors, and City employees. The content published on websites by the City are guided by this Website Content Policy. References to website content in this policy includes but may not be limited to published text, video, audio, photos, images ,maps and documents.

2. Purpose

The purpose of this policy is to ensure that acceptable standards are adhered to for information designed and developed by the City on any website.

City Departments, Elected Officials, as well as designated representatives will be responsible for determining those departmental bodies or individuals responsible for what information shall and shall not be placed on their respective websites based on this and the Internet Acceptable Usage Policy, and will be responsible for adhering to the City's website content standard.

It is the responsibility of the Department Heads and Elected Officials to ensure that departmental staff adheres to City website related policies.

3. Scope

This policy addresses the issues related to content managed by the City on websites delivered using various methods. These methods include:

- Utilizing City resources to create and host websites (City websites)
- Utilizing City resources to create websites, but non-City services to host websites (City websites)
- Utilizing non-City websites to publish content managed by the City (non-City websites hosting City-managed content)

All City employees and personnel authorized by the City to provide and publish content for websites in any of the methods above are required to follow this policy. Specific departments may have unique requirements not covered by this policy and are encouraged to develop additional policies to cover them.

4. Policy

City Department Heads and Elected Officials as well as designated representatives shall direct and govern the creation and publication of content for websites as detailed in this policy.

- **4.1.** Advisory **Responsibility.** The City Attorney's Office is responsible for advising the City regarding legal questions that arise with regard to the content of their respective websites, including but not limited to privacy, copyright, and other intellectual property issues, helping City Departments comply with this Website Content Policy and assisting with any additional requirements or policies specific to a department.
- **4.2. Copyright-Protected and Trademark-Protected Material.** Under U.S. Copyright law, copyright-protected materials may not be reproduced, distributed, transmitted, displayed, or otherwise published without the prior written permission of the owners of these materials. This also applies to trademarks, which can be a word, phrase, symbol or design, or a combination thereof, that identifies and distinguishes the source of the goods of one party from those of others (http://www.uspto.gov/). Those responsible for publishing content on City websites shall protect City materials and comply with laws in the use of third-party materials on City websites.
 - **4.2.1. City Materials.** To protect City materials, all pages of City websites and Non-City websites hosting City-managed content shall display a City of Los Angeles copyright statement and give proper trademark notice using either of the following:

Copyright 20__ City of Los Angeles, unless otherwise noted. All logos, names, insignias, etc. of City Departments, Elected Official Offices, and Commissions are trademarks of the City of Los Angeles. Unauthorized use prohibited.

Copyright 20__ City of Los Angeles, unless otherwise noted. All rights reserved. For licenses to use these materials or to report infringement, please contact the Los Angeles City Attorney's Office, Intellectual Property Council, 200 North Main Street, City Hall East, Los Angeles, CA 90012, (213) 978-8100. All logos, names, insignias, etc. of City Departments, Elected Official Offices, and Commissions are trademarks of the City of Los Angeles. Unauthorized use prohibited.

- **4.2.2. Third-Party Materials.** Those responsible for creating or publishing content on City websites must ensure proper clearance is obtained before using any third-party material on City websites. These include, but are not limited to, photos, videos, writings, maps, brand names, logos, and slogans.
- **4.3. Avoidance of Preferential Treatment.** To preserve the public nature of the City's websites and to avoid any perception that the City endorses or provides favorable treatment to any private person or business enterprise (hereinafter collectively referred to as "vendor"), City websites or non-City websites hosting City-managed content shall not display vendor logos or names. For exceptions to this, Departments and Elected Official Offices must consult the City Attorney's Office.

Furthermore, when a City website or non-City website hosting City-managed content provides a link to a non-City website, then the disclaimer process referenced in part 4.8 shall be used as part of the link process.

4.4. Publication of Official Information. The City websites and non-City websites hosting City-managed content are for official use only. The development and use of City websites and non-City websites hosting City-managed content for personal gain and use is strictly prohibited. All information disseminated through these websites must be related to the official duties and responsibilities of employees and City departments.

- **4.5. Publication of Accurate Information.** City websites and non-City websites hosting Citymanaged content shall contain content that is current and correct. To ensure this, effective content review processes shall be conducted by departments and elected offices for new and existing content on these websites.
- **4.6. Prohibition of Confidential Information.** Private, confidential, or sensitive information shall not be posted on any City website or non-City website hosting City-managed content. Guidelines for the protection of private confidential information can be found in the City Privacy Policy (http://disclaimer.lacity.org/privacy.htm).
- **4.7. Prohibition of Campaign Information. Except as provided below,** no City website or non-City website hosting City-managed content may be used for campaign-related purposes. Campaign-related purposes include but are not limited to, the following:
 - Statements in support or opposition to any candidate or ballot measures;
 - Requests for campaign funds or references to any solicitations of campaign funds;
 - o And references to the campaign schedule or activities of any candidate

The City Clerk's website may contain election related material including election and candidate information and election programming authorized pursuant to municipal access policy board guidelines. For general election information, the City websites and non-City websites hosting City-managed content may link directly to website of the City Clerk.

The City Ethics Commission's website may contain election and campaign related materials. City websites and non-City websites hosting City-managed content may link to the City Ethics Commission's website, unless doing so constitutes a misuse of city position or resources under Los Angeles Municipal Code section 49.5.5. The City Ethics Commission is available to provide guidance and assistance to City employees and officials in complying with Los Angeles Municipal Code section 49.5.5.

- **4.8. Non-City-Managed Content.** The City shall link to non-City websites or utilize non-City services, such as social networking sites, for the purpose of official City business only as defined in Section 4.4. This may be done on City websites or non-City websites hosting City-managed content. This however may present non-City-managed content to users.
 - **4.8.1. Non-City-managed Content Disclaimer.** For every instance a City website may display non-City-managed content, or link to a website that may contain non-City-managed content, the following disclaimer shall be provided to the user to explain the City's position regarding non-City-managed content:

"The City of Los Angeles is not responsible for the content, nor endorses or supports any advertising that may be contained on the site. Neither is it responsible for the inability to use, or damages that may arise from the use of, the site and/or materials contained on the site."

The disclaimer shall be presented in a manner appropriate to the situation in which the non-City-managed content appears:

Linking to websites with no City-managed content. Precede the disclaimer with "You are about to access a site not managed by the City of Los Angeles" before asking the user if they wish to proceed to a website containing non-Citymanaged content.

Linking to non-City websites hosting City-managed content. Precede the disclaimer with "You are about to access a site that may contain content not managed by the City of Los Angeles" before asking the user if they wish to proceed to the non-City service.

Embedding non-City websites hosting City-managed content. Precede the disclaimer with "The City is utilizing a non-City service to deliver content on this page," before providing a link to the disclaimer immediately below the embedded non-City website page. The link shall be labeled "Disclaimer".

- **4.8.2. Non-City Website Link Priority.** To encourage use and access of City resources and information, a priority should be set for linking to information published by the City. This shall be done by listing City websites or non-City websites hosting City-managed content above the related websites containing non-City-managed content.
- **4.8.3. City Website Priority.** City websites are the primary and predominant source of City information online. Non-City websites hosting City-managed content shall, wherever possible, link and direct site visitors back to City websites.

The City also reserves the right to reject or remove any content on City-managed or Non-City websites hosting City-managed content websites that violates this policy.

- **4.9. Website Accessibility.** Content on City websites shall be accessible and usable to as many citizens as possible. For non-City websites hosting City-managed content, website accessibility shall be provided to the farthest extent feasible to the City. Those Staff involved in preparing, creating, and editing information for City websites and non-City websites hosting City-managed content shall provide the necessary content required to ensure compliance with standards of Section 508 of the Rehabilitation Act available on www.section508.gov.
- **4.10. Website Disclaimer**. Every page of a City website shall provide a link titled "Site Disclaimer" located in the footer area. The link shall point to a page containing the following site City of Los Angeles Website Disclaimer:

"The City of Los Angeles is neither responsible nor liable for any viruses or other contamination of your system nor for any delays, inaccuracies, errors or omissions arising out of your use of the Site or with respect to the material contained on the Site, including without limitation, any material posted on the Site. This site and all materials contained on it are distributed and transmitted "as is" without warranties of any kind, either express or implied, including without limitation, warranties of title or implied warranties of merchantability or fitness for a particular purpose. The City of Los Angeles is not responsible for any special, indirect, incidental or consequential damages that may arise from the use of, or the inability to use, the site and/or the materials contained on the site whether the materials contained on the site are provided by the City of Los Angeles, or a third party."

For those City websites incorporating the Google Translate feature the following disclaimer needs to be part of this page:

"Google Translate Disclaimer

Translation of pages on City of Los Angeles websites may be performed by Google TM Translate, a free third party service that the City does not control. This translation service is only provided as a convenience to assist web visitors in understanding information on this website in a language other than English. The translations are

made through automated computer translation software that may not give you an accurate or precise translation all the time. Some applications or services may not work as expected when translated. In addition, some files and other items may not translate or cannot be translated including but not limited to graphics, photos and documents. Anyone relying on information obtained from Google TM Translate does so at his or her own risk. The City of Los Angeles does not warrant or make any promises, assurances, or guarantees as to the accuracy of the translations provided by Google TM Translate. As such, the City of Los Angeles shall not and will not be liable for damages or losses of any kind arising out of, or in connection with, the use or performance of such information, including but not limited to, damages or losses caused by reliance upon the accuracy, reliability or timeliness of any such information, or damages incurred from the viewing, distributing, or copying of such materials. If you are concerned about the accuracy of the translation, please refer to the English edition of the website, which is the official version. Please click the following link if you have any questions or for more information about Google TM Translate: http://translate.google.com/support/ "

5. Policy Enforcement

It is the responsibility of City Department Heads, Elected Officials and their designated representatives to verify City-managed content on their department's City websites to ensure compliance to this policy. They are also responsible to remove any sites from publication that violate this policy.

Appendix A. Guidelines for Content on City Websites

Below is a subset of guidelines taken from the 2nd Edition of the Research-Based Web Design and Usability Guidelines, provided by the US Department of Health and Human Services. These are the minimum set of guidelines, that should be applied to content on City of Los Angeles websites. It is important to note that this set of guidelines may be updated as needed so it is important to refer to the online version of this document to obtain the latest set of guidelines. More information about these guidelines and a complete set of guidelines can be found at Usability.gov.

1. Provide Useful Content

Guideline: Provide content that is engaging, relevant, and appropriate to the audience.

Comments: Content is the information provided on a Web site. Do not waste resources providing easy access and good usability to the wrong content. One study found that content is the most critical element of a Web site. Other studies have reported that content is more important than navigation, visual design, functionality, and interactivity.

2. Establish User Requirements

Guideline: Use all available resources to better understand users' requirements.

Comments: The greater the number of exchanges of information with potential users, the better the developers' understanding of the users' requirements. The more information that can be exchanged between developers and users, the higher the probability of having a successful Web site. These could include customer support lines, customer surveys and interviews, bulletin boards, sales people, user groups, trade show experiences, focus groups, etc. Successful projects require at least four (and average five) different sources of information. Do not rely too heavily on user intermediaries.

The information gathered from exchanges with users can be used to build 'use cases.' Use cases describe the things that users want and need the Web site to be able to do. In one study, when compared with traditional function-oriented analyses, use cases provided a specification that produced better user performance and higher user preferences.

3. Design for Working Memory Limitations

Guideline: Do not require users to remember information from place to place on a Web site.

Comments: Users can remember relatively few items of information for a relatively short period of time.

When users must remember information on one Web page for use on another page or another location on the same page, they can only remember about three or four items for a few seconds. If users must make comparisons, it is best to have the items being compared side-by-side so that users do not have to remember information.

4. Do Not Use Color Alone to Convey Information

Guideline: Ensure that all information conveyed with color is also available without color.

Comments: Never use color as the only indicator for critical activities. A percentage of users have difficulty discriminating colors. Most users with color deficiencies have difficulty seeing colors in the green portion of the spectrum.

To accommodate color-deficient users, designers should:

- Select color combinations that can be discriminated by users with color deficiencies;
- Use tools to see what Web pages will look like when seen by color deficient users:
- Ensure that the lightness contrast between foreground and background colors is high;
- Increase the lightness contrast between colors on either end of the spectrum (e.g., blues and reds); and
- Avoid combining light colors from either end of the spectrum with dark colors from the middle of the spectrum.

5. Create a Positive First Impression of Your Site

Guideline: Treat your homepage as the key to conveying the quality of your site.

Comments: In terms of conveying quality, the homepage is probably the most important page on a Web site. One study found that when asked to find high quality Web sites, about half of the time participants looked only at the homepage. You will not get a second chance to make a good first impression on a user.

6. Use Clear Category Labels

Guideline: Ensure that category labels, including links, clearly reflect the information and items contained within the category.

Comments: Category titles must be understood by typical users. Users will likely have difficulty understanding vague, generalized link labels, but will find specific, detailed links, and descriptors easier to use.

7. Use Descriptive Headings Liberally

Guideline: Use descriptive headings liberally throughout a Web site.

Comments: Well-written headings are an important tool for helping users scan quickly. Headings should conceptually relate to the information or functions that follow them.

Headings should provide strong cues that orient users and inform them about page organization and structure. Headings also help classify information on a page. Each heading should be helpful in finding the desired target.

The ability to scan quickly is particularly important for older adults because they tend to stop scanning and start reading more frequently. If headings are not descriptive or plentiful enough, the user may start reading in places that do not offer the information they are seeking, thereby slowing them down unnecessarily.

8. Use Meaningful Link Labels

Guideline: Use link labels and concepts that are meaningful, understandable, and easily differentiated by users rather than designers.

Comments: To avoid user confusion, use link labels that clearly differentiate one link from another. Users should be able to look at each link and learn something about the link's destination. Using terms like 'Click Here' can be counterproductive.

Clear labeling is especially important as users navigate down through the available links. The more decisions that users are required to make concerning links, the more opportunities they have to make a wrong decision.

9. Use Video, Animation, and Audio Meaningfully

Guideline: Use video, animation, and audio only when they help to convey, or are supportive of, the Web site's message or other content.

Comments: Multimedia elements (such as video, animation, and audio) can easily capture the attention of users; therefore, it is important to have clear and useful reasons for using multimedia to avoid unnecessarily distracting users. Some multimedia elements may take a long time to download, so it is important that they be worth the wait.

Used productively, multimedia can add great value to a site's content and help direct users' attention to the most important information and in the order that it is most useful.

10. Use Mixed Case with Prose

Guideline: Display continuous (prose) text using mixed upper- and lowercase letters.

Comments: Reading text is easier when capitalization is used conventionally to start sentences and to indicate proper nouns and acronyms. If an item is intended to attract the user's attention, display the item in all uppercase, bold, or italics. Do not use these

methods for showing emphasis for more than one or two words or a short phrase because they slow reading performance when used for extended prose.

11. Organize Information Clearly

Guideline: Organize information at each level of the Web site so that it shows a clear and logical structure to typical users.

Comments: Designers should present information in a structure that reflects user needs and the site's goals. Information should be well-organized at the Web site level, page level, and paragraph or list level.

Good Web site and page design enables users to understand the nature of the site's organizational relationships and will support users in locating information efficiently. A clear, logical structure will reduce the chances of users becoming bored, disinterested, or frustrated.

12. Facilitate Scanning

Guideline: Structure each content page to facilitate scanning: use clear, well-located headings; short phrases and sentences; and small readable paragraphs.

Comments: Web sites that are optimized for scanning can help users find desired information. Users that scan generally read headings, but do not read full text prose—this results in users missing information when a page contains dense text.

Studies report that about eighty percent of users scan any new page. Only sixteen percent read each word. Users spend about twelve percent of their time trying to locate desired information on a page.

To facilitate the finding of information, place important headings high in the center section of a page. Users tend to scan until they find something interesting and then they read. Designers should help users ignore large chunks of the page in a single glance.

13. Group Related Elements

Guideline: Group all related information and functions in order to decrease time spent searching or scanning.

Comments: All information related to one topic should be grouped together. This minimizes the need for users to search or scan the site for related information. Users will consider items that are placed in close spatial proximity to belong together conceptually. Text items that share the same background color typically will be seen as being related to each other.

EXHIBIT "F"

STANDARD PROVISIONS FOR CITY CONTRACTS

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STANDARD PROVISIONS FOR CITY CONTRACTS

PSC-1. CONSTRUCTION OF PROVISIONS AND TITLES HEREIN

All titles, subtitles, or headings in this Contract have been inserted for convenience, and shall not be deemed to affect the meaning or construction of any of the terms or provisions hereof. The language of this Contract shall be construed according to its fair meaning and not strictly for or against the CITY or CONTRACTOR. The word "CONTRACTOR" herein in this Contract includes the party or parties identified in the Contract. The singular shall include the plural; if there is more than one CONTRACTOR herein, unless expressly stated otherwise, their obligations and liabilities hereunder shall be joint and several. Use of the feminine, masculine, or neuter genders shall be deemed to include the genders not used.

PSC-2. NUMBER OF ORIGINALS

The number of original texts of this Contract shall be equal to the number of the parties hereto, one text being retained by each party. At the CITY'S option, one or more additional original texts of this Contract may also be retained by the City.

PSC-3. APPLICABLE LAW, INTERPRETATION AND ENFORCEMENT

Each party's performance hereunder shall comply with all applicable laws of the United States of America, the State of California, and the CITY, including but not limited to, laws regarding health and safety, labor and employment, wage and hours and licensing laws which affect employees. This Contract shall be enforced and interpreted under the laws of the State of California without regard to conflict of law principles. CONTRACTOR shall comply with new, amended, or revised laws, regulations, and/or procedures that apply to the performance of this Contract.

In any action arising out of this Contract, **CONTRACTOR** consents to personal jurisdiction, and agrees to bring all such actions, exclusively in state or federal courts located in Los Angeles County, California.

If any part, term or provision of this Contract is held void, illegal, unenforceable, or in conflict with any law of a federal, state or local government having jurisdiction over this Contract, the validity of the remaining parts, terms or provisions of the Contract shall not be affected thereby.

PSC-4. <u>TIME OF EFFECTIVENESS</u>

Unless otherwise provided, this Contract shall take effect when all of the following events have occurred:

- A. This Contract has been signed on behalf of **CONTRACTOR** by the person or persons authorized to bind **CONTRACTOR** hereto;
- B. This Contract has been approved by the City Council or by the board, officer or employee authorized to give such approval;
- C. The Office of the City Attorney has indicated in writing its approval of this Contract as to form; and
- D. This Contract has been signed on behalf of the CITY by the person designated by the City Council, or by the board, officer or employee authorized to enter into this Contract.

PSC-5. INTEGRATED CONTRACT

This Contract sets forth all of the rights and duties of the parties with respect to the subject matter hereof, and replaces any and all previous Contracts or understandings, whether written or oral, relating thereto. This Contract may be amended only as provided for in paragraph PSC-6 hereof.

PSC-6. AMENDMENT

All amendments to this Contract shall be in writing and signed and approved pursuant to the provisions of PSC-4.

PSC-7. EXCUSABLE DELAYS

In the event that performance on the part of any party hereto is delayed or suspended as a result of circumstances beyond the reasonable control and without the fault and negligence of said party, none of the parties shall incur any liability to the other parties as a result of such delay or suspension. Circumstances deemed to be beyond the control of the parties hereunder include, but are not limited to, acts of God or of the public enemy; insurrection; acts of the Federal Government or any unit of State or Local Government in either sovereign or contractual capacity; fires; floods; earthquakes; epidemics; quarantine restrictions; strikes; freight embargoes or delays in transportation, to the extent that they are not caused by the party's willful or negligent acts or omissions, and to the extent that they are beyond the party's reasonable control.

PSC-8. BREACH

Except for excusable delays as described in PSC-7, if any party fails to perform, in whole or in part, any promise, covenant, or agreement set forth herein, or should any representation made by it be untrue, any aggrieved party may avail itself of all rights

and remedies, at law or equity, in the courts of law. Said rights and remedies are cumulative of those provided for herein except that in no event shall any party recover more than once, suffer a penalty or forfeiture, or be unjustly compensated.

PSC-9. WAIVER

A waiver of a default of any part, term or provision of this Contract shall not be construed as a waiver of any succeeding default or as a waiver of the part, term or provision itself. A party's performance after the other party's default shall not be construed as a waiver of that default.

PSC-10. TERMINATION

A. TERMINATION FOR CONVENIENCE

The CITY may terminate this Contract for the CITY'S convenience at any time by giving CONTRACTOR thirty days written notice thereof. Upon receipt of said notice, CONTRACTOR shall immediately take action not to incur any additional obligations, cost or expenses, except as may be reasonably necessary to terminate its activities. The CITY shall pay CONTRACTOR its reasonable and allowable costs through the effective date of termination and those reasonable and necessary costs incurred by CONTRACTOR to affect such termination. Thereafter, CONTRACTOR shall have no further claims against the CITY under this Contract. All finished and unfinished documents and materials procured for or produced under this Contract, including all intellectual property rights thereto, shall become CITY property upon the date of such termination. CONTRACTOR agrees to execute any documents necessary for the CITY to perfect, memorialize, or record the CITY'S ownership of rights provided herein.

B. TERMINATION FOR BREACH OF CONTRACT

- 1. Except for excusable delays as provided in PSC-7, if CONTRACTOR fails to perform any of the provisions of this Contract or so fails to make progress as to endanger timely performance of this Contract, the CITY may give CONTRACTOR written notice of such default. If CONTRACTOR does not cure such default or provide a plan to cure such default which is acceptable to the CITY within the time permitted by the CITY, then the CITY may terminate this Contract due to CONTRACTOR'S breach of this Contract.
- 2. If a federal or state proceeding for relief of debtors is undertaken by or against **CONTRACTOR**, or if **CONTRACTOR** makes an assignment for the benefit of creditors, then the **CITY** may immediately terminate this Contract.
- 3. If **CONTRACTOR** engages in any dishonest conduct related to the performance or administration of this Contract or violates the

CITY'S lobbying policies, then the **CITY** may immediately terminate this Contract.

- In the event the CITY terminates this Contract as provided in this section, the CITY may procure, upon such terms and in such manner as the CITY may deem appropriate, services similar in scope and level of effort to those so terminated, and CONTRACTOR shall be liable to the CITY for all of its costs and damages, including, but not limited, any excess costs for such services.
- 5. All finished or unfinished documents and materials produced or procured under this Contract, including all intellectual property rights thereto, shall become CITY property upon date of such termination. CONTRACTOR agrees to execute any documents necessary for the CITY to perfect, memorialize, or record the CITY'S ownership of rights provided herein.
- 6. If, after notice of termination of this Contract under the provisions of this section, it is determined for any reason that CONTRACTOR was not in default under the provisions of this section, or that the default was excusable under the terms of this Contract, the rights and obligations of the parties shall be the same as if the notice of termination had been issued pursuant to PSC-10(A) Termination for Convenience.
- 7. The rights and remedies of the **CITY** provided in this section shall not be exclusive and are in addition to any other rights and remedies provided by law or under this Contract.

PSC-11. INDEPENDENT CONTRACTOR

CONTRACTOR is acting hereunder as an independent contractor and not as an agent or employee of the **CITY**. **CONTRACTOR** shall not represent or otherwise hold out itself or any of its directors, officers, partners, employees, or agents to be an agent or employee of the **CITY**.

PSC-12. CONTRACTOR'S PERSONNEL

Unless otherwise provided or approved by the CITY, CONTRACTOR shall use its own employees to perform the services described in this Contract. The CITY shall have the right to review and approve any personnel who are assigned to work under this Contract. CONTRACTOR agrees to remove personnel from performing work under this Contract if requested to do so by the CITY.

CONTRACTOR shall not use subcontractors to assist in performance of this Contract without the prior written approval of the CITY. If the CITY permits the use of subcontractors, CONTRACTOR shall remain responsible for performing all aspects of

this Contract. The CITY has the right to approve CONTRACTOR'S subcontractors, and the CITY reserves the right to request replacement of subcontractors. The CITY does not have any obligation to pay CONTRACTOR'S subcontractors, and nothing herein creates any privity between the CITY and the subcontractors.

PSC-13. PROHIBITION AGAINST ASSIGNMENT OR DELEGATION

CONTRACTOR may not, unless it has first obtained the written permission of the **CITY**:

- A. Assign or otherwise alienate any of its rights under this Contract, including the right to payment; or
- B. Delegate, subcontract, or otherwise transfer any of its duties under this Contract.

PSC-14. PERMITS

CONTRACTOR and its directors, officers, partners, agents, employees, and subcontractors, to the extent allowed hereunder, shall obtain and maintain all licenses, permits, certifications and other documents necessary for **CONTRACTOR'S** performance hereunder and shall pay any fees required therefor. **CONTRACTOR** certifies to immediately notify the **CITY** of any suspension, termination, lapses, non-renewals, or restrictions of licenses, permits, certificates, or other documents.

PSC-15. CLAIMS FOR LABOR AND MATERIALS

CONTRACTOR shall promptly pay when due all amounts payable for labor and materials furnished in the performance of this Contract so as to prevent any lien or other claim under any provision of law from arising against any **CITY** property (including reports, documents, and other tangible or intangible matter produced by **CONTRACTOR** hereunder), against **CONTRACTOR'S** rights to payments hereunder, or against the **CITY**, and shall pay all amounts due under the Unemployment Insurance Act with respect to such labor.

PSC-16. <u>CURRENT LOS ANGELES CITY BUSINESS TAX REGISTRATION</u> <u>CERTIFICATE REQUIRED</u>

If applicable, **CONTRACTOR** represents that it has obtained and presently holds the Business Tax Registration Certificate(s) required by the **CITY'S** Business Tax Ordinance, Section 21.00 *et seq.* of the Los Angeles Municipal Code. For the term covered by this Contract, **CONTRACTOR** shall maintain, or obtain as necessary, all such Certificates required of it under the Business Tax Ordinance, and shall not allow any such Certificate to be revoked or suspended.

PSC-17. RETENTION OF RECORDS, AUDIT AND REPORTS

CONTRACTOR shall maintain all records, including records of financial transactions, pertaining to the performance of this Contract, in their original form, in accordance with

requirements prescribed by the CITY. These records shall be retained for a period of no less than three years following final payment made by the CITY hereunder or the expiration date of this Contract, whichever occurs last. Said records shall be subject to examination and audit by authorized CITY personnel or by the CITY'S representative at any time during the term of this Contract or within the three years following final payment made by the CITY hereunder or the expiration date of this Contract, whichever occurs last. CONTRACTOR shall provide any reports requested by the CITY regarding performance of this Contract. Any subcontract entered into by CONTRACTOR, to the extent allowed hereunder, shall include a like provision for work to be performed under this Contract.

PSC-18. FALSE CLAIMS ACT

CONTRACTOR acknowledges that it is aware of liabilities resulting from submitting a false claim for payment by the **CITY** under the False Claims Act (Cal. Gov. Code §§ 12650 *et seq.*), including treble damages, costs of legal actions to recover payments, and civil penalties of up to \$10,000 per false claim.

PSC-19. BONDS

All bonds which may be required hereunder shall conform to **CITY** requirements established by Charter, ordinance or policy, and shall be filed with the Office of the City Administrative Officer, Risk Management for its review and acceptance in accordance with Sections 11.47 through 11.56 of the Los Angeles Administrative Code.

PSC-20. INDEMNIFICATION

Except for the active negligence or willful misconduct of the CITY, or any of its Boards, Officers, Agents, Employees, Assigns and Successors in Interest, CONTRACTOR undertakes and agrees to defend, indemnify and hold harmless the CITY and any of its Boards, Officers, Agents, Employees, Assigns, and Successors in Interest from and against all suits and causes of action, claims, losses, demands and expenses, including, but not limited to, attorney's fees (both in house and outside counsel) and cost of litigation (including all actual litigation costs incurred by the CITY, including but not limited to, costs of experts and consultants), damages or liability of any nature whatsoever, for death or injury to any person, including CONTRACTOR'S employees and agents, or damage or destruction of any property of either party hereto or of third parties, arising in any manner by reason of the negligent acts, errors, omissions or willful misconduct incident to the performance of this Contract by CONTRACTOR or its subcontractors of any tier. Rights and remedies available to the CITY under this provision are cumulative of those provided for elsewhere in this Contract and those allowed under the laws of the United States, the State of California, and the CITY. The provisions of PSC-20 shall survive expiration or termination of this Contract.

PSC-21. INTELLECTUAL PROPERTY INDEMNIFICATION

CONTRACTOR, at its own expense, undertakes and agrees to defend, indemnify, and hold harmless the **CITY**, and any of its Boards, Officers, Agents, Employees, Assigns,

and Successors in Interest from and against all suits and causes of action, claims, losses, demands and expenses, including, but not limited to, attorney's fees (both in house and outside counsel) and cost of litigation (including all actual litigation costs incurred by the CITY, including but not limited to, costs of experts and consultants), damages or liability of any nature whatsoever arising out of the infringement, actual or alleged, direct or contributory, of any intellectual property rights, including, without limitation, patent, copyright, trademark, trade secret, right of publicity and proprietary information right (1) on or in any design, medium, matter, article, process, method, application, equipment, device, instrumentation, software, hardware, or firmware used by CONTRACTOR, or its subcontractors of any tier, in performing the work under this Contract; or (2) as a result of the CITY'S actual or intended use of any Work Product furnished by CONTRACTOR, or its subcontractors of any tier, under the Agreement. Rights and remedies available to the CITY under this provision are cumulative of those provided for elsewhere in this Contract and those allowed under the laws of the United States, the State of California, and the CITY. The provisions of PSC-21 shall survive expiration or termination of this Contract.

PSC-22. INTELLECTUAL PROPERTY WARRANTY

CONTRACTOR represents and warrants that its performance of all obligations under this Contract does not infringe in any way, directly or contributorily, upon any third party's intellectual property rights, including, without limitation, patents, copyrights, trademarks, trade secrets, rights of publicity and proprietary information.

PSC-23. OWNERSHIP AND LICENSE

Unless otherwise provided for herein, all Work Products originated and prepared by CONTRACTOR or its subcontractors of any tier under this Contract shall be and remain the exclusive property of the CITY for its use in any manner it deems appropriate. Work Products are all works, tangible or not, created under this Contract including, without limitation, documents, material, data, reports, manuals, specifications, artwork, drawings, sketches, computer programs and databases, schematics, photographs, video and audiovisual recordings, sound recordings, marks, logos, graphic designs, notes, websites, domain names, inventions, processes, formulas matters and combinations thereof, and all forms of intellectual property. CONTRACTOR hereby assigns, and agrees to assign, all goodwill, copyright, trademark, patent, trade secret and all other intellectual property rights worldwide in any Work Products originated and prepared by CONTRACTOR under this Contract. CONTRACTOR further agrees to execute any documents necessary for the CITY to perfect, memorialize, or record the CITY'S ownership of rights provided herein.

For all Work Products delivered to the **CITY** that are not originated or prepared by **CONTRACTOR** or its subcontractors of any tier under this Contract, **CONTRACTOR** hereby grants a non-exclusive perpetual license to use such Work Products for any **CITY** purposes.

CONTRACTOR shall not provide or disclose any Work Product to any third party without prior written consent of the **CITY**.

Any subcontract entered into by **CONTRACTOR** relating to this Contract, to the extent allowed hereunder, shall include a like provision for work to be performed under this Contract to contractually bind or otherwise oblige its subcontractors performing work under this Contract such that the **CITY'S** ownership and license rights of all Work Products are preserved and protected as intended herein. Failure of **CONTRACTOR** to comply with this requirement or to obtain the compliance of its subcontractors with such obligations shall subject **CONTRACTOR** to the imposition of any and all sanctions allowed by law, including but not limited to termination of **CONTRACTOR'S** contract with the **CITY**.

PSC-24. INSURANCE

During the term of this Contract and without limiting **CONTRACTOR'S** indemnification of the **CITY**, **CONTRACTOR** shall provide and maintain at its own expense a program of insurance having the coverages and limits customarily carried and actually arranged by **CONTRACTOR**, but not less than the amounts and types listed on the Required Insurance and Minimum Limits sheet (Form General 146 in Exhibit 1 hereto), covering its operations hereunder. Such insurance shall conform to **CITY** requirements established by Charter, ordinance or policy, shall comply with the Insurance Contractual Requirements (Form General 133 in Exhibit 1 hereto) and shall otherwise be in a form acceptable to the Office of the City Administrative Officer, Risk Management. **CONTRACTOR** shall comply with all Insurance Contractual Requirements shown on Exhibit 1 hereto. Exhibit 1 is hereby incorporated by reference and made a part of this Contract.

PSC-25. DISCOUNT TERMS

CONTRACTOR agrees to offer the **CITY** any discount terms that are offered to its best customers for the goods and services to be provided hereunder and apply such discount to payments made under this Contract which meet the discount terms.

PSC-26. WARRANTY AND RESPONSIBILITY OF CONTRACTOR

CONTRACTOR warrants that the work performed hereunder shall be completed in a manner consistent with professional standards practiced among those firms within **CONTRACTOR'S** profession, doing the same or similar work under the same or similar circumstances.

PSC-27. NON-DISCRIMINATION

Unless otherwise exempt, this Contract is subject to the non-discrimination provisions in Sections 10.8 through 10.8.2 of the Los Angeles Administrative Code, as amended from time to time. The **CONTRACTOR** shall comply with the applicable non-discrimination and affirmative action provisions of the laws of the United States of America, the State of California, and the **CITY**. In performing this Contract, **CONTRACTOR** shall not

discriminate in its employment practices against any employee or applicant for employment because of such person's race, religion, national origin, ancestry, sex, sexual orientation, age, disability, domestic partner status, marital status or medical condition. Any subcontract entered into by **CONTRACTOR**, to the extent allowed hereunder, shall include a like provision for work to be performed under this Contract.

Failure of **CONTRACTOR** to comply with this requirement or to obtain the compliance of its subcontractors with such obligations shall subject **CONTRACTOR** to the imposition of any and all sanctions allowed by law, including but not limited to termination of **CONTRACTOR'S** contract with the **CITY**.

PSC-28. <u>EQUAL EMPLOYMENT PRACTICES</u>

Unless otherwise exempt, this Contract is subject to the equal employment practices provisions in Section 10.8.3 of the Los Angeles Administrative Code, as amended from time to time.

- A. During the performance of this Contract, **CONTRACTOR** agrees and represents that it will provide equal employment practices and **CONTRACTOR** and each subcontractor hereunder will ensure that in his or her employment practices persons are employed and employees are treated equally and without regard to or because of race, religion, ancestry, national origin, sex, sexual orientation, age, disability, marital status or medical condition.
 - 1. This provision applies to work or service performed or materials manufactured or assembled in the United States.
 - Nothing in this section shall require or prohibit the establishment of new classifications of employees in any given craft, work or service category.
 - 3. **CONTRACTOR** agrees to post a copy of Paragraph A hereof in conspicuous places at its place of business available to employees and applicants for employment.
- B. **CONTRACTOR** will, in all solicitations or advertisements for employees placed by or on behalf of **CONTRACTOR**, state that all qualified applicants will receive consideration for employment without regard to their race, religion, ancestry, national origin, sex, sexual orientation, age, disability, marital status or medical condition.
- C. As part of the CITY'S supplier registration process, and/or at the request of the awarding authority, or the Board of Public Works, Office of Contract Compliance, CONTRACTOR shall certify in the specified format that he or she has not discriminated in the performance of CITY contracts against any employee or applicant for employment on the basis or because of

- race, religion, national origin, ancestry, sex, sexual orientation, age, disability, marital status or medical condition.
- D. CONTRACTOR shall permit access to and may be required to provide certified copies of all of his or her records pertaining to employment and to employment practices by the awarding authority or the Office of Contract Compliance for the purpose of investigation to ascertain compliance with the Equal Employment Practices provisions of CITY contracts. On their or either of their request CONTRACTOR shall provide evidence that he or she has or will comply therewith.
- E. The failure of any **CONTRACTOR** to comply with the Equal Employment Practices provisions of this Contract may be deemed to be a material breach of **CITY** contracts. Such failure shall only be established upon a finding to that effect by the awarding authority, on the basis of its own investigation or that of the Board of Public Works, Office of Contract Compliance. No such finding shall be made or penalties assessed except upon a full and fair hearing after notice and an opportunity to be heard has been given to **CONTRACTOR**.
- F. Upon a finding duly made that **CONTRACTOR** has failed to comply with the Equal Employment Practices provisions of a **CITY** contract, the contract may be forthwith canceled, terminated or suspended, in whole or in part, by the awarding authority, and all monies due or to become due hereunder may be forwarded to and retained by the **CITY**. In addition thereto, such failure to comply may be the basis for a determination by the awarding authority or the Board of Public Works that the **CONTRACTOR** is an irresponsible bidder or proposer pursuant to the provisions of Section 371 of the Charter of the City of Los Angeles. In the event of such a determination, **CONTRACTOR** shall be disqualified from being awarded a contract with the **CITY** for a period of two years, or until **CONTRACTOR** shall establish and carry out a program in conformance with the provisions hereof.
- G. Notwithstanding any other provision of this Contract, the **CITY** shall have any and all other remedies at law or in equity for any breach hereof.
- H. Intentionally blank.
- I. Nothing contained in this Contract shall be construed in any manner so as to require or permit any act which is prohibited by law.
- J. At the time a supplier registers to do business with the CITY, or when an individual bid or proposal is submitted, CONTRACTOR shall agree to adhere to the Equal Employment Practices specified herein during the performance or conduct of CITY Contracts.

- K. Equal Employment Practices shall, without limitation as to the subject or nature of employment activity, be concerned with such employment practices as:
 - 1. Hiring practices;
 - 2. Apprenticeships where such approved programs are functioning, and other on-the-job training for non-apprenticeable occupations;
 - 3. Training and promotional opportunities; and
 - 4. Reasonable accommodations for persons with disabilities.
- L. Any subcontract entered into by **CONTRACTOR**, to the extent allowed hereunder, shall include a like provision for work to be performed under this Contract. Failure of **CONTRACTOR** to comply with this requirement or to obtain the compliance of its subcontractors with all such obligations shall subject **CONTRACTOR** to the imposition of any and all sanctions allowed by law, including but not limited to termination of the **CONTRACTOR'S** Contract with the **CITY**.

PSC-29. AFFIRMATIVE ACTION PROGRAM

Unless otherwise exempt, this Contract is subject to the affirmative action program provisions in Section 10.8.4 of the Los Angeles Administrative Code, as amended from time to time.

- A. During the performance of a CITY contract, CONTRACTOR certifies and represents that CONTRACTOR and each subcontractor hereunder will adhere to an affirmative action program to ensure that in its employment practices, persons are employed and employees are treated equally and without regard to or because of race, religion, ancestry, national origin, sex, sexual orientation, age, disability, marital status or medical condition.
 - 1. This provision applies to work or services performed or materials manufactured or assembled in the United States.
 - 2. Nothing in this section shall require or prohibit the establishment of new classifications of employees in any given craft, work or service category.
 - 3. **CONTRACTOR** shall post a copy of Paragraph A hereof in conspicuous places at its place of business available to employees and applicants for employment.
- B. **CONTRACTOR** will, in all solicitations or advertisements for employees placed by or on behalf of **CONTRACTOR**, state that all qualified applicants will receive consideration for employment without regard to

- their race, religion, ancestry, national origin, sex, sexual orientation, age, disability, marital status or medical condition.
- C. As part of the CITY'S supplier registration process, and/or at the request of the awarding authority or the Office of Contract Compliance, CONTRACTOR shall certify on an electronic or hard copy form to be supplied, that CONTRACTOR has not discriminated in the performance of CITY contracts against any employee or applicant for employment on the basis or because of race, religion, ancestry, national origin, sex, sexual orientation, age, disability, marital status or medical condition.
- D. CONTRACTOR shall permit access to and may be required to provide certified copies of all of its records pertaining to employment and to its employment practices by the awarding authority or the Office of Contract Compliance, for the purpose of investigation to ascertain compliance with the Affirmative Action Program provisions of CITY contracts, and on their or either of their request to provide evidence that it has or will comply therewith.
- E. The failure of any **CONTRACTOR** to comply with the Affirmative Action Program provisions of **CITY** contracts may be deemed to be a material breach of contract. Such failure shall only be established upon a finding to that effect by the awarding authority, on the basis of its own investigation or that of the Board of Public Works, Office of Contract Compliance. No such finding shall be made except upon a full and fair hearing after notice and an opportunity to be heard has been given to **CONTRACTOR**.
- Upon a finding duly made that **CONTRACTOR** has breached the Affirmative Action Program provisions of a **CITY** contract, the contract may be forthwith cancelled, terminated or suspended, in whole or in part, by the awarding authority, and all monies due or to become due hereunder may be forwarded to and retained by the **CITY**. In addition thereto, such breach may be the basis for a determination by the awarding authority or the Board of Public Works that the said **CONTRACTOR** is an irresponsible bidder or proposer pursuant to the provisions of Section 371 of the Los Angeles City Charter. In the event of such determination, such **CONTRACTOR** shall be disqualified from being awarded a contract with the **CITY** for a period of two years, or until he or she shall establish and carry out a program in conformance with the provisions hereof.
- G. In the event of a finding by the Fair Employment and Housing Commission of the State of California, or the Board of Public Works of the City of Los Angeles, or any court of competent jurisdiction, that CONTRACTOR has been guilty of a willful violation of the California Fair Employment and Housing Act, or the Affirmative Action Program provisions of a CITY contract, there may be deducted from the amount payable to CONTRACTOR by the CITY under the contract, a penalty of ten dollars

- (\$10.00) for each person for each calendar day on which such person was discriminated against in violation of the provisions of a CITY contract.
- H. Notwithstanding any other provisions of a **CITY** contract, the **CITY** shall have any and all other remedies at law or in equity for any breach hereof.
- I. Intentionally blank.
- J. Nothing contained in **CITY** contracts shall be construed in any manner so as to require or permit any act which is prohibited by law.
- K. CONTRACTOR shall submit an Affirmative Action Plan which shall meet the requirements of this chapter at the time it submits its bid or proposal or at the time it registers to do business with the CITY. The plan shall be subject to approval by the Office of Contract Compliance prior to award of the contract. The awarding authority may also require contractors and suppliers to take part in a pre-registration, pre-bid, pre-proposal, or preaward conference in order to develop, improve or implement a qualifying Affirmative Action Plan. Affirmative Action Programs developed pursuant to this section shall be effective for a period of twelve months from the date of approval by the Office of Contract Compliance. In case of prior submission of a plan, CONTRACTOR may submit documentation that it has an Affirmative Action Plan approved by the Office of Contract Compliance within the previous twelve months. If the approval is 30 days or less from expiration, CONTRACTOR must submit a new Plan to the Office of Contract Compliance and that Plan must be approved before the contract is awarded.
 - Every contract of \$5,000 or more which may provide construction, demolition, renovation, conservation or major maintenance of any kind shall in addition comply with the requirements of Section 10.13 of the Los Angeles Administrative Code.
 - 2. **CONTRACTOR** may establish and adopt as its own Affirmative Action Plan, by affixing his or her signature thereto, an Affirmative Action Plan prepared and furnished by the Office of Contract Compliance, or it may prepare and submit its own Plan for approval.
- L. The Office of Contract Compliance shall annually supply the awarding authorities of the CITY with a list of contractors and suppliers who have developed Affirmative Action Programs. For each contractor and supplier the Office of Contract Compliance shall state the date the approval expires. The Office of Contract Compliance shall not withdraw its approval for any Affirmative Action Plan or change the Affirmative Action Plan after the date of contract award for the entire contract term without the mutual agreement of the awarding authority and CONTRACTOR.

- M. The Affirmative Action Plan required to be submitted hereunder and the pre-registration, pre-bid, pre-proposal or pre-award conference which may be required by the Board of Public Works, Office of Contract Compliance or the awarding authority shall, without limitation as to the subject or nature of employment activity, be concerned with such employment practices as:
 - 1. Apprenticeship where approved programs are functioning, and other on-the-job training for non-apprenticeable occupations;
 - 2. Classroom preparation for the job when not apprenticeable;
 - 3. Pre-apprenticeship education and preparation;
 - 4. Upgrading training and opportunities;
 - 5. Encouraging the use of contractors, subcontractors and suppliers of all racial and ethnic groups, provided, however, that any contract subject to this ordinance shall require the contractor, subcontractor or supplier to provide not less than the prevailing wage, working conditions and practices generally observed in private industries in the contractor's, subcontractor's or supplier's geographical area for such work;
 - 6. The entry of qualified women, minority and all other journeymen into the industry; and
 - 7. The provision of needed supplies or job conditions to permit persons with disabilities to be employed, and minimize the impact of any disability.
- N. Any adjustments which may be made in the contractor's or supplier's workforce to achieve the requirements of the CITY'S Affirmative Action Contract Compliance Program in purchasing and construction shall be accomplished by either an increase in the size of the workforce or replacement of those employees who leave the workforce by reason of resignation, retirement or death and not by termination, layoff, demotion or change in grade.
- O. Affirmative Action Agreements resulting from the proposed Affirmative Action Plan or the pre-registration, pre-bid, pre-proposal or pre-award conferences shall not be confidential and may be publicized by the contractor at his or her discretion. Approved Affirmative Action Agreements become the property of the CITY and may be used at the discretion of the CITY in its Contract Compliance Affirmative Action Program.
- P. Intentionally blank.

Q. All contractors subject to the provisions of this section shall include a like provision in all subcontracts awarded for work to be performed under the contract with the CITY and shall impose the same obligations, including but not limited to filing and reporting obligations, on the subcontractors as are applicable to the contractor. Failure of the contractor to comply with this requirement or to obtain the compliance of its subcontractors with all such obligations shall subject the contractor to the imposition of any and all sanctions allowed by law, including but not limited to termination of the contractor's contract with the CITY.

PSC-30. CHILD SUPPORT ASSIGNMENT ORDERS

This Contract is subject to the Child Support Assignment Orders Ordinance, Section 10.10 of the Los Angeles Administrative Code, as amended from time to time. Pursuant to the Child Support Assignment Orders Ordinance, CONTRACTOR will fully comply with all applicable State and Federal employment reporting requirements for CONTRACTOR'S employees. CONTRACTOR shall also certify (1) that the Principal Owner(s) of CONTRACTOR are in compliance with any Wage and Earnings Assignment Orders and Notices of Assignment applicable to them personally; (2) that CONTRACTOR will fully comply with all lawfully served Wage and Earnings Assignment Orders and Notices of Assignment in accordance with Section 5230, et seq. of the California Family Code; and (3) that CONTRACTOR will maintain such compliance throughout the term of this Contract.

Pursuant to Section 10.10(b) of the Los Angeles Administrative Code, the failure of **CONTRACTOR** to comply with all applicable reporting requirements or to implement lawfully served Wage and Earnings Assignment Orders or Notices of Assignment, or the failure of any Principal Owner(s) of **CONTRACTOR** to comply with any Wage and Earnings Assignment Orders or Notices of Assignment applicable to them personally, shall constitute a default by the **CONTRACTOR** under this Contract, subjecting this Contract to termination if such default shall continue for more than ninety (90) days after notice of such default to **CONTRACTOR** by the **CITY**.

Any subcontract entered into by **CONTRACTOR**, to the extent allowed hereunder, shall include a like provision for work to be performed under this Contract. Failure of **CONTRACTOR** to obtain compliance of its subcontractors shall constitute a default by **CONTRACTOR** under this Contract, subjecting this Contract to termination where such default shall continue for more than ninety (90) days after notice of such default to **CONTRACTOR** by the **CITY**.

CONTRACTOR certifies that, to the best of its knowledge, it is fully complying with the Earnings Assignment Orders of all employees, and is providing the names of all new employees to the New Hire Registry maintained by the Employment Development Department as set forth in Section 7110(b) of the California Public Contract Code.

PSC-31. <u>LIVING WAGE ORDINANCE AND SERVICE CONTRACTOR WORKER</u> RETENTION ORDINANCE

- A. Unless otherwise exempt, this Contract is subject to the applicable provisions of the Living Wage Ordinance (LWO), Section 10.37 *et seq.* of the Los Angeles Administrative Code, as amended from time to time, and the Service Contractor Worker Retention Ordinance (SCWRO), Section 10.36 *et seq.*, of the Los Angeles Administrative Code, as amended from time to time. These Ordinances require the following:
 - CONTRACTOR assures payment of a minimum initial wage rate to employees as defined in the LWO and as may be adjusted each July 1 and provision of compensated and uncompensated days off and health benefits, as defined in the LWO.
 - 2. CONTRACTOR further pledges that it will comply with federal law proscribing retaliation for union organizing and will not retaliate for activities related to the LWO. CONTRACTOR shall require each of its subcontractors within the meaning of the LWO to pledge to comply with the terms of federal law proscribing retaliation for union organizing. CONTRACTOR shall deliver the executed pledges from each such subcontractor to the CITY within ninety (90) days of the execution of the subcontract. CONTRACTOR'S delivery of executed pledges from each such subcontractor shall fully discharge the obligation of CONTRACTOR with respect to such pledges and fully discharge the obligation of CONTRACTOR to comply with the provision in the LWO contained in Section 10.37.6(c) concerning compliance with such federal law.
 - 3. CONTRACTOR, whether an employer, as defined in the LWO, or any other person employing individuals, shall not discharge, reduce in compensation, or otherwise discriminate against any employee for complaining to the CITY with regard to the employer's compliance or anticipated compliance with the LWO, for opposing any practice proscribed by the LWO, for participating in proceedings related to the LWO, for seeking to enforce his or her rights under the LWO by any lawful means, or otherwise asserting rights under the LWO. CONTRACTOR shall post the Notice of Prohibition Against Retaliation provided by the CITY.
 - Any subcontract entered into by CONTRACTOR relating to this Contract, to the extent allowed hereunder, shall be subject to the provisions of PSC-31 and shall incorporate the provisions of the LWO and the SCWRO.

- 5. **CONTRACTOR** shall comply with all rules, regulations and policies promulgated by the **CITY'S** Designated Administrative Agency which may be amended from time to time.
- B. Under the provisions of Sections 10.36.3(c) and 10.37.6(c) of the Los Angeles Administrative Code, the CITY shall have the authority, under appropriate circumstances, to terminate this Contract and otherwise pursue legal remedies that may be available if the CITY determines that the subject CONTRACTOR has violated provisions of either the LWO or the SCWRO, or both.
- C. Where under the LWO Section 10.37.6(d), the CITY'S Designated Administrative Agency has determined (a) that CONTRACTOR is in violation of the LWO in having failed to pay some or all of the living wage, and (b) that such violation has gone uncured, the CITY in such circumstances may impound monies otherwise due CONTRACTOR in accordance with the following procedures. Impoundment shall mean that from monies due CONTRACTOR, CITY may deduct the amount determined to be due and owing by CONTRACTOR to its employees. Such monies shall be placed in the holding account referred to in LWO Section 10.37.6(d)(3) and disposed of under procedures described therein through final and binding arbitration. Whether CONTRACTOR is to continue work following an impoundment shall remain in the sole discretion of the CITY. CONTRACTOR may not elect to discontinue work either because there has been an impoundment or because of the ultimate disposition of the impoundment by the arbitrator.
- D. **CONTRACTOR** shall inform employees making less than Twelve Dollars (\$12.00) per hour of their possible right to the federal Earned Income Credit (EIC). **CONTRACTOR** shall also make available to employees the forms informing them about the EIC and forms required to secure advance EIC payments from **CONTRACTOR**.

PSC-32. AMERICANS WITH DISABILITIES ACT

CONTRACTOR hereby certifies that it will comply with the Americans with Disabilities Act, 42 U.S.C. §§ 12101 *et seq.*, and its implementing regulations. **CONTRACTOR** will provide reasonable accommodations to allow qualified individuals with disabilities to have access to and to participate in its programs, services and activities in accordance with the provisions of the Americans with Disabilities Act. **CONTRACTOR** will not discriminate against persons with disabilities nor against persons due to their relationship to or association with a person with a disability. Any subcontract entered into by **CONTRACTOR**, relating to this Contract, to the extent allowed hereunder, shall be subject to the provisions of this paragraph.

PSC-33. CONTRACTOR RESPONSIBILITY ORDINANCE

Unless otherwise exempt, this Contract is subject to the provisions of the Contractor Responsibility Ordinance, Section 10.40 *et seq.*, of the Los Angeles Administrative Code, as amended from time to time, which requires **CONTRACTOR** to update its responses to the responsibility questionnaire within thirty calendar days after any change to the responses previously provided if such change would affect **CONTRACTOR'S** fitness and ability to continue performing this Contract.

In accordance with the provisions of the Contractor Responsibility Ordinance, by signing this Contract, CONTRACTOR pledges, under penalty of perjury, to comply with all applicable federal, state and local laws in the performance of this Contract, including but not limited to, laws regarding health and safety, labor and employment, wages and hours, and licensing laws which affect employees. CONTRACTOR further agrees to: (1) notify the CITY within thirty calendar days after receiving notification that any government agency has initiated an investigation which may result in a finding that CONTRACTOR is not in compliance with all applicable federal, state and local laws in performance of this Contract; (2) notify the CITY within thirty calendar days of all findings by a government agency or court of competent jurisdiction that CONTRACTOR has violated the provisions of Section 10.40.3(a) of the Contractor Responsibility Ordinance; (3) unless exempt, ensure that its subcontractor(s), as defined in the Contractor Responsibility Ordinance, submit a Pledge of Compliance to the CITY; and (4) unless exempt, ensure that its subcontractor(s), as defined in the Contractor Responsibility Ordinance, comply with the requirements of the Pledge of Compliance and the requirement to notify the CITY within thirty calendar days after any government agency or court of competent jurisdiction has initiated an investigation or has found that the subcontractor has violated Section 10.40.3(a) of the Contractor Responsibility Ordinance in performance of the subcontract.

PSC-34. MINORITY, WOMEN, AND OTHER BUSINESS ENTERPRISE OUTREACH PROGRAM

CONTRACTOR agrees and obligates itself to utilize the services of Minority, Women and Other Business Enterprise firms on a level so designated in its proposal, if any. **CONTRACTOR** certifies that it has complied with Mayoral Directive 2001-26 regarding the Outreach Program for Personal Services Contracts Greater than \$100,000, if applicable. **CONTRACTOR** shall not change any of these designated subcontractors, nor shall **CONTRACTOR** reduce their level of effort, without prior written approval of the **CITY**, provided that such approval shall not be unreasonably withheld.

PSC-35. EQUAL BENEFITS ORDINANCE

Unless otherwise exempt, this Contract is subject to the provisions of the Equal Benefits Ordinance (EBO), Section 10.8.2.1 of the Los Angeles Administrative Code, as amended from time to time.

- A. During the performance of the Contract, **CONTRACTOR** certifies and represents that **CONTRACTOR** will comply with the EBO.
- B. The failure of **CONTRACTOR** to comply with the EBO will be deemed to be a material breach of this Contract by the **CITY**.
- C. If CONTRACTOR fails to comply with the EBO the CITY may cancel, terminate or suspend this Contract, in whole or in part, and all monies due or to become due under this Contract may be retained by the CITY. The CITY may also pursue any and all other remedies at law or in equity for any breach.
- D. Failure to comply with the EBO may be used as evidence against **CONTRACTOR** in actions taken pursuant to the provisions of Los Angeles Administrative Code Section 10.40 *et seq.*, Contractor Responsibility Ordinance.
- E. If the CITY'S Designated Administrative Agency determines that a CONTRACTOR has set up or used its contracting entity for the purpose of evading the intent of the EBO, the CITY may terminate the Contract. Violation of this provision may be used as evidence against CONTRACTOR in actions taken pursuant to the provisions of Los Angeles Administrative Code Section 10.40 et seq., Contractor Responsibility Ordinance.

CONTRACTOR shall post the following statement in conspicuous places at its place of business available to employees and applicants for employment:

"During the performance of a Contract with the City of Los Angeles, the Contractor will provide equal benefits to its employees with spouses and its employees with domestic partners. Additional information about the City of Los Angeles' Equal Benefits Ordinance may be obtained from the Department of Public Works, Office of Contract Compliance at (213) 847-1922."

PSC-36. SLAVERY DISCLOSURE ORDINANCE

Unless otherwise exempt, this Contract is subject to the Slavery Disclosure Ordinance, Section 10.41 of the Los Angeles Administrative Code, as amended from time to time. **CONTRACTOR** certifies that it has complied with the applicable provisions of the Slavery Disclosure Ordinance. Failure to fully and accurately complete the affidavit may result in termination of this Contract.

EXHIBIT 1

INSURANCE CONTRACTUAL REQUIREMENTS

CONTACT For additional information about compliance with City Insurance and Bond requirements, contact the Office of the City Administrative Officer, Risk Management at (213) 978-RISK (7475) or go online at www.lacity.org/cao/risk. The City approved Bond Assistance Program is available for those contractors who are unable to obtain the City-required performance bonds. A City approved insurance program may be available as a low cost alternative for contractors who are unable to obtain City-required insurance.

CONTRACTUAL REQUIREMENTS

CONTRACTOR AGREES THAT:

- 1. Additional Insured/Loss Payee. The CITY must be included as an Additional Insured in applicable liability policies to cover the CITY'S liability arising out of the acts or omissions of the named insured. The CITY is to be named as an Additional Named Insured and a Loss Payee As Its Interests May Appear in property insurance in which the CITY has an interest, e.g., as a lien holder.
- 2. Notice of Cancellation. All required insurance will be maintained in full force for the duration of its business with the CITY. By ordinance, all required insurance must provide at least thirty (30) days' prior written notice (ten (10) days for non-payment of premium) directly to the CITY if your insurance company elects to cancel or materially reduce coverage or limits prior to the policy expiration date, for any reason except impairment of an aggregate limit due to prior claims.
- **3. Primary Coverage.** CONTRACTOR will provide coverage that is primary with respect to any insurance or self-insurance of the CITY. The CITY'S program shall be excess of this insurance and non-contributing.
- **4. Modification of Coverage.** The CITY reserves the right at any time during the term of this Contract to change the amounts and types of insurance required hereunder by giving CONTRACTOR ninety (90) days' advance written notice of such change. If such change should result in substantial additional cost to CONTRACTOR, the CITY agrees to negotiate additional compensation proportional to the increased benefit to the CITY.
- **5. Failure to Procure Insurance.** All required insurance must be submitted and approved by the Office of the City Administrative Officer, Risk Management prior to the inception of any operations by CONTRACTOR.

CONTRACTOR'S failure to procure or maintain required insurance or a self-insurance program during the entire term of this Contract shall constitute a material breach of this Contract under which the CITY may immediately suspend or terminate this Contract or, at its discretion, procure or renew such insurance to protect the CITY'S interests and pay any and all premiums in connection therewith and recover all monies so paid from CONTRACTOR.

6. Workers' Compensation. By signing this Contract, CONTRACTOR hereby certifies that it is aware of the provisions of Section 3700 *et seq.*, of the California Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake

self-insurance in accordance with the provisions of that Code, and that it will comply with such provisions at all time during the performance of the work pursuant to this Contract.

- 7. California Licensee. All insurance must be provided by an insurer <u>admitted</u> to do business in California or written through a California-licensed surplus lines broker or through an insurer otherwise acceptable to the CITY. Non-admitted coverage must contain a **Service of Suit** clause in which the underwriters agree to submit as necessary to the jurisdiction of a California court in the event of a coverage dispute. Service of process for this purpose must be allowed upon an agent in California designated by the insurer or upon the California Insurance Commissioner.
- 8. Aggregate Limits/Impairment. If any of the required insurance coverages contain annual aggregate limits, CONTRACTOR must give the CITY written notice of any pending claim or lawsuit which will materially diminish the aggregate within thirty (30) days of knowledge of same. You must take appropriate steps to restore the impaired aggregates or provide replacement insurance protection within thirty (30) days of knowledge of same. The CITY has the option to specify the minimum acceptable aggregate limit for each line of coverage required. No substantial reductions in scope of coverage which may affect the CITY'S protection are allowed without the CITY'S prior written consent.
- **9. Commencement of Work.** For purposes of insurance coverage only, this Contract will be deemed to have been executed immediately upon any party hereto taking any steps that can be considered to be in furtherance of or towards performance of this Contract. The requirements in this Section supersede all other sections and provisions of this Contract, including, but not limited to, PSC-4, to the extent that any other section or provision conflicts with or impairs the provisions of this Section.

EVERCOUN

ACORD...

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 2/11/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT Patty Feeney				
Barney & Barney, A Marsh & McLennan	PHONE (A/C, No, Ext): 858 587-7511 FAX (A/C, No): 85	8 909-9650			
Agency LLC Company, CA License #0H18131 P.O. Box 85638	E-MAIL ADDRESS: Patty.Feeney@BarneyandBarney.com				
San Diego, CA 92186	INSURER(S) AFFORDING COVERAGE	NAIC#			
	INSURER A: Sentinel Insurance Company, Ltd	11000			
INSURED County In a	INSURER B: Lloyd's of London				
Everyone Counts, Inc.	INSURER C: Hanover Fire and Casualty Insur	27324			
4435 Eastgate Mall, Suite 100 San Diego, CA 92121	INSURER D :				
San Diego, CA 92121	INSURER E :				
	INSURER F:				
COVERAGES CERTIFICATE NUMBER.		<u>.</u>			

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDI	SUBR	POLICY NUMBER	POLICY EFF	POLICY EXP (MM/DD/YYYY)	LIMITS	
Α	GENERAL LIABILITY			72SBAAN9736			EACH OCCURRENCE	\$1,000,000
	COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	s300,000
	CLAIMS-MADE OCCUR						MED EXP (Any one person)	\$10,000
							PERSONAL & ADV INJURY	\$1,000,000
							GENERAL AGGREGATE	\$2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PRODUCTS - COMP/OP AGG	\$2,000,000
	POLICY PRO- JECT LOC							\$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	\$
	ANY AUTO						BODILY INJURY (Per person)	\$
	ALL OWNED SCHEDULED AUTOS						BODILY INJURY (Per accident)	\$
	HIRED AUTOS NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	\$
								\$
	UMBRELLA LIAB OCCUR						EACH OCCURRENCE	\$
	EXCESS LIAB CLAIMS-MADE						AGGREGATE	\$
	DED RETENTION \$							\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y/N						WC STATU- OTH- TORY LIMITS ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE	N/A					E.L. EACH ACCIDENT	\$
	(Mandatory in NH)						E.L. DISEASE - EA EMPLOYEE	\$
	DESCRIPTION OF OPERATIONS below						E.L. DISEASE - POLICY LIMIT	\$
В	Errors & Omission		l	ESD04104319	01/12/2015	01/12/2016	\$5MM Each Claim/A	gg.
C	Directors & Offic			LH3A27097100	03/31/2014	03/31/2015	\$1MM in the aggrega	ite
							for all "Claims"	
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)								

EVIDENCE ONLY

CERTIF	CATE	HOLDER	

City of Los Angeles **Department of Empowerment** 200 North Spring Street Los Angeles, CA 90012

CANCELLATION

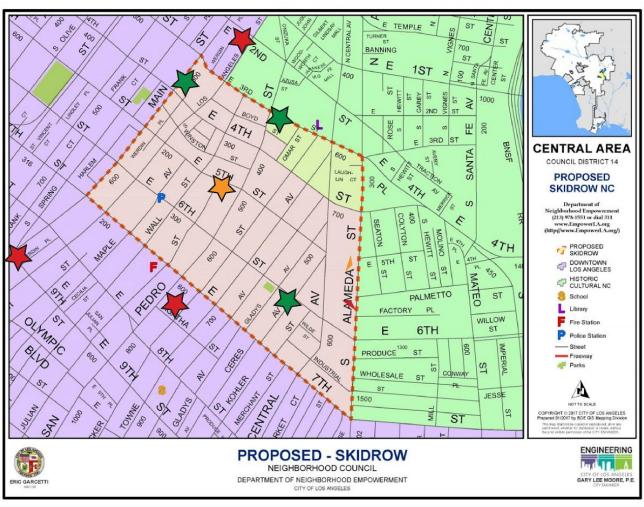
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

PARTY YELAND

AUTHORIZED REPRESENTATIVE

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City Hall (had 6 separate PUP voting days)



There were 12 Pop-Up Polls (PUP) \clubsuit = outside boundaries and 1 election day electronic voting option = 13 total

= inside boundaries

= self-affirmation/homeless, 1 location only

Subject: [SPAM]Fw: SRNC Formation

Date: Tuesday, January 30, 2018 at 6:45:10 PM Pacific Standard Time

From: General Jeff

To: Christine Challoner
CC: Katherine Mcnenny

January 30, 2018

Ms. Challoner,

The below is e-mail correspondence from Mike Fong following up after the City's March 29th Town Hall meeting ay LA CAN.....Mr. Fong also shared a link of all the other pop-up polling locations for our Subdivision election...With the majority being in DONE's office in City Hall...Far outside our proposed boundaries for the SRNC-FC.

TO BE CLEAR, I had previously requested (in the e-mail before the below one) for a pop-up poll to be in Gladys Park at the request of a Skid Row resident during the City's Town Hall meeting the night before....DONE denied the request....Later explaining that pop-up polls "cant be outdoors" (hard to prove this was said though).

General Jeff 323.445.0723 (cell)

Visit our Skid Row Neighborhood Council- Formation Committee website

https://skidrowneighborhoodcouncil.com

#SkidRowStillHere #SkidRowStillHere

Twitter: @GoSkidRowGo

Instagram: @SkidRowGeneralJeff

Skid Row community activist-ISSUES AND SOLUTIONS (2007-present)

Former LA County-Appointed Official
Consumer Representative on the
inaugural LA County Health Agency Integration Advisory BoardSelected by Mental Health Commission
(2015-2017)
Chair- LA County Health Agency IAB Subcommittee on Homelessness

(2015-2017)

Former Co-Chair- Skid Row Community Advisory Board for the Department of Mental Health (2012-2017)

Chair- "Skid Row Public Space Task Force" (2012-present)

Chair- Skid Row Neighborhood Council- Formation Committee (2014-present)

Former LA City-Elected Official (3 Two-Year Terms)
Resident Director- Central City East/Skid Row
Board of Directors
Downtown Los Angeles Neighborhood Council
(2008-2014)
Former VP, Outreach and Communications- DLANC
(2011-2012)

Former State-Appointed Official California State Department of Public Health- Office of Health Equity-inaugural Advisory Committee Member (2013-2015)

On Thursday, March 30, 2017 5:08 PM, Mike Fong <mike.fong@lacity.org> wrote:

Good afternoon Mr. General Jeff,

Hope you are doing well.

It was great seeing you last night. Thank you very much to you and SRNC Formation Committee for your comments and thoughts at the town hall meeting last night.

I have attached a link to the pop-ups including the following between today and Wednesday, April 5:

http://empowerla.org/elections/srnc17/

I apologize but there will not be a pop-up poll at Gladys.

Thanks and keep up the great leadership in the community.

Best.

Mike

On Wed, Mar 29, 2017 at 12:17 PM, General Jeff < <u>issuesandsolutions@yahoo.com</u>> wrote: March 29, 2017

Mr. Fong,

Thank you for this information.

See you tonight.

Also, we are requesting a pop-up poll on April 4th from 10-1 in Gladys Park....Is that doable?

Regards,

General Jeff

Join Our "Skid Row Neighborhood Council" Facebook Page

http://bit.ly/2lKzYka

#Vote4SkidRowNC #MakeHistory

Twitter: @GoSkidRowGo

Instagram: @SkidRowGeneralJeff

Skid Row community activist-ISSUES AND SOLUTIONS (2007-present)

LA County-Appointed Official
Consumer Representative on the
inaugural LA County Health Agency Integration Advisory BoardSelected by Mental Health Commission
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(2008-2014)
Former VP, Outreach and Communications- DLANC
(2012-2013)

Former State-Appointed Official California State Department of Public Health- Office of Health Equityinaugural Advisory Committee Member (2013-2015)

On Wednesday, March 29, 2017 11:12 AM, Mike Fong <mike.fong@lacity.org> wrote:

Hi Mr. General Jeff,

Hope you are doing well.

We look forward to seeing you at tonight. Set up will be at 5 pm with the community town hall at 6 pm tonight.

There will be a pop-up poll available from 6 pm from 8 pm.

http://empowerla.org/ elections/srnc17/

Thanks!

Best,

Mike



Neighborhood Council Election Acceptable Forms of Documentation

Updated February 18, 2014

*Note: Voters and candidates may be required to show more than one form of documentation to verify eligibility as a stakeholder. Contained in this document are just a sample of some (not all) of the acceptable forms of documentation that candidates and voters may use to establish their stakeholder status. This list will be updated periodically to incorporate any new forms that are deemed acceptable. The City of Los Angeles, Department of Neighborhood Empowerment and the City Clerk have sole discretion on the acceptability of any document presented.

NEIGHBORHOOD COUNCIL ELECTION LIST OF ACCEPTABLE FORMS OF DOCUMENTATION

In general, stakeholders must show documentation that substantiates their claimed stakeholder status. The following items will constitute acceptable forms of documentation for establishing stakeholder status. Different categories may require different forms of documentation.

Neighborhood Councils that have chosen the "self-affirmation" method for identifying stakeholders will not require documentation in order to vote.

HOMEOWNER REPRESENTATIVE

The following forms of documentation shall be acceptable proofs of homeownership to run or vote for Homeowner Representative for those Neighborhood Councils that require stakeholders to own residential property within the Neighborhood Council's boundaries. You will need to show one proof from List A **and** one proof from List B (document must prove stakeholder status claim), **or** two from List B. At least one document from List B must prove that you own a residential property within the boundaries of the Neighborhood Council. These documents are marked with an asterisk.

All documentation provided must, to a reasonable extent, show the stakeholder's name and the address of the residential property in question.

List A

- † Valid CA Driver's License
- † Valid CA Identification Card
- † Valid Passport
- † Valid picture ID with name (work, school, gym, club, credit card, etc.)

- † Social Security Card
- † Mail with your name and the address within the boundaries
- † Letter from local Neighborhood Watch
- † Current utility bill
- † Los Angeles (L.A.) County property tax bill*
- † Mortgage statement*
- + Home Owner's Association bill*
- † Home owner's insurance documentation*
- † Other similar documentation proving occupancy/tenancy

RENTER/TENANT REPRESENTATIVE

The following forms of documentation shall be acceptable proofs of renter status to run or vote for Renter/Tenant Representative for those Neighborhood Councils that require stakeholders to rent within the Neighborhood Council's boundaries. You will need to show one proof from List A **and** one proof from List B (document must prove stakeholder status claim), **or** two from List B. At least one document from List B must prove that you rent within the boundaries of the Neighborhood Council. These documents are marked with an asterisk.

All documentation provided must, to a reasonable extent, show the stakeholder's name and the address of the rental property in question.

List A

- † Valid CA Driver's License
- † Valid CA Identification Card
- † Valid Passport
- † Valid picture ID with name (work, school, gym, club, credit card, etc.)

- † Social Security Card
- † Mail with your name and the address
- † Letter from local Neighborhood Watch
- † Residential lease or rental agreement*
- † Rent payment receipt*
- † Renter's insurance documentation*
- † Letter from landlord confirming renter/tenant status*
- † Other similar documentation proving occupancy/tenancy

RESIDENTIAL REPRESENTATIVE

The following forms of documentation shall be acceptable proofs of residency to run or vote for Residential Representative for those Neighborhood Councils that require stakeholders to reside within the Neighborhood Council's boundaries. You will need to show one proof from List A, **or** two from List B. At least one document from List B must prove that you reside within the boundaries of the Neighborhood Council. These documents are marked with an asterisk.

All documentation provided must, to a reasonable extent, show the stakeholder's name and the address of the residence in question.

List A

- † Valid CA Driver's License
- † Valid CA Identification Card
- † Valid Passport
- † Valid picture ID with name (work, school, gym, club, credit card, etc.)

List B

- † Social Security Card
- † Residential lease or rental agreement*
- † Los Angeles (L.A.) County property tax bill
- † Mortgage statement or rent receipt*
- † Home owner's or renter's insurance documentation*
- † Current utility bill*
- † Home Owner's Association bill
- † Letter from landlord confirming renter/tenant status*
- † Mail with your name and address*
- † Letter from local Neighborhood Watch
- † Other similar documentation proving occupancy/tenancy*

*Some Neighborhood Councils may require candidates running for Resident/Owner Seat to both live and own their place of residency. These candidates must show proof of both ownership and occupancy in order to be eligible to run for the seat. Please refer to the Homeowner Representative or Renter/Tenant Representative lists for proof of ownership or rental status.

BUSINESS/COMMERCIAL

The following forms of documentation shall be acceptable proofs of employment or ownership in a business within the Neighborhood Council's boundaries (if required to vote or run for a business/commercial representative). You will need to show one proof from List A **and** one from List B **or** two from List B. At least one document from List B must prove that you work at or own a business within the boundaries of the Neighborhood Council. These documents are marked with an asterisk.

All documentation provided must, to a reasonable extent, show the stakeholder's name and the name and address of the business in question.

List A

- † Valid CA Driver's License
- † Valid CA Identification Card
- † Valid Passport
- † Valid picture ID with name (work, school, gym, club, credit card, etc.)

- † Business lease or rental agreement*
- † Commercial mortgage statement or lease receipt*
- † Current City of LA Business license*
- † Los Angeles (LA) County property tax bill*
- * Social Security Card
- † Work permit
- * Staff roster*
- † Personal business card*
- † Printed advertisement or webpage of business
- † Letter from employer on business letterhead verifying employment*
- † California (CA) State Board of Equalization resale certificate*
- † Pay check or stub*
- † Letter/documentation from Business Improvement District (BID) or Chamber of Commerce*
- † Billing statements from vendors*
- † Current utility bill*
- † Mail with your name and the name and address of the business
- † Other similar documentation proving employment or business ownership*

COMMUNITY INTEREST

A Community Interest Stakeholder is one who declares a stake in the neighborhood and is defined as a person who affirms a substantial and ongoing participation within the Neighborhood Council's boundaries and who may be in the community organizations such as, but not limited to education, non-profit and/or religious.

In determining the factors used to evaluate whether a person has qualified as a Community Interest stakeholder, documentation is based on the plain meaning of the terms "substantial and ongoing," referring to an interest in a Neighborhood Council that is measurable, important, weighty and continuous. In addition, the documentation must satisfy City Council's intent by precluding those stakeholders with a fleeting outside interest from participating as candidates or voters in a Neighborhood Council election.

Receipts from businesses in the neighborhood will not be accepted.

Some Neighborhood Councils may require the community based, senior, youth, environmental, service or volunteer organization or group to meet at least a predetermined number of times within a predefined period of time.

RELIGIOUS INSTITUTIONS/SCHOOLS/COMMUNITY BASED ORGANIZATIONS

The following forms of documentation shall be accepted as proof of employment/participation in a religious institution, school, or community-based organization. You will need to show one proof from List A **and** one from List B **or** two from List B. At least one document from List B must prove that you participate or work in a community-based organization, school or religious institution within the boundaries of the Neighborhood Council. These documents are marked with an asterisk.

All documentation provided must, to a reasonable extent, show the stakeholder's name and the name and address of the community-based organization, school or religious institution in question.

List A

- † Valid CA Driver's License
- † Valid CA Identification Card
- † Valid Passport
- † Valid picture ID with name (work, school, gym, club, credit card, etc.)

- † Pay check or stub*
- † A letter on letterhead stating that you are a substantial and ongoing active participant*
- † Personal business card, membership card or participation certificate*
- † Receipt of membership dues*
- * Staff roster*
- † A flyer, weekly calendar, or newsletter

- † Printed advertisement or webpage
- † Other similar documentation proving that you work or participate in a substantial and ongoing manner in a community-based organization*, school, or religious institution*

MISCELLANEOUS GROUP SUCH AS VOLUNTEER OR SERVICE GROUP

The following forms of documentation shall be accepted as proof of employment, participation, and membership in a volunteer or service group. You will need to show one proof from List A **and** one from List B **or** two from List B. At least one document from List B must prove that you participate or work in a volunteer or service group within the boundaries of the Neighborhood Council. These documents are marked with an asterisk.

All documentation provided must, to a reasonable extent, show the stakeholder's name and the name and address of the volunteer or service group in question.

List A

- † Valid CA Driver's License
- * Valid CA Identification Card
- † Valid Passport
- † Valid picture ID with name (work, school, gym, club, credit card, etc.)

List B

- † Pay check or stub*
- † A letter on letterhead stating that you are a substantial and ongoing active participant*
- † Personal business card, membership card or participation certificate*
- † Receipt of membership dues*
- † Staff roster*
- † Other similar documentation proving that you work or participate in a substantial and ongoing manner in a volunteer or service group*

DISTRICT/AREA/ZONE REPRESENTATIVE

The following forms of documentation shall be proofs of residency/ownership/employment or participation within a district/zone/area (to run or vote for a district/zone/area representative for those Neighborhood Councils that require stakeholders to reside, work or participate in a certain district/zone/area.) You will need to show one proof from List A and one from List B or two from List B. Please refer to other applicable categories in this document that can be used to prove your claim within the district/zone/area inside the boundaries of the Neighborhood Council. At least one document from List B must prove your status within the district/zone/area within the boundaries of the Neighborhood Council. These documents may be found in other applicable stakeholder categories below.

All documentation provided must, to a reasonable extent, show the stakeholder's name and the address of the property in question.

List A

- † Valid CA Driver's License
- † Valid CA Identification Card
- † Valid Passport
- † Valid picture ID with name (work, school, gym, club, credit card, etc.)

List B

- † Documents from List B under Homeowner Representative
- † Documents from List B under Residential Representative
- † Documents from List B under Business/Commercial
- † Documents from List B under *Religious Institutions/Schools/Community Based Organizations*
- † Documents from List B under *Miscellaneous Group Such As Volunteer/Service Group*
- † Other similar documentation proving that you participate in the district/area/zone of the Neighborhood Council

SENIOR REPRESENTATIVE

Age Specific Category: The following forms of documentation can be accepted as proof of appropriate age to vote or run for position (if required as in the case of some Neighborhood Councils that have age restrictions to run or vote for a Senior Seat). You will need to show one proof from List A **or** two from List B. At least one document from List B must prove your age.

List A

- † Valid CA Driver's License
- † Valid CA Identification Card
- † Valid Passport

List B

- **†** Birth Certificate
- † Senior pass or discount cards
- † Medicare or AARP membership card
- † Senior center membership card
- † Other similar documentation proving that you are a senior citizen

Participation Requirement Category: The following forms of documentation shall be accepted as proof of participation, employment, and membership for those Neighborhood Councils that only require proof of participation, employment, and membership in an organization that serves Seniors in order to vote or run for the Senior Seat. You will need to show one proof from List A **and** one from List B **or** two from List B. At least one document from List B must prove that you participate, work at, or are a member in an organization that serves senior citizens within the boundaries of the Neighborhood Council. These documents are marked with an asterisk.

All documentation provided must, to a reasonable extent, show the stakeholder's name and the name and address of the senior citizen organization in question.

List A

- † Valid CA Driver's License
- † Valid CA Identification Card
- † Valid Passport
- † Picture ID (work, school, club, credit card, etc.)

List B

- † Pay check or stub*
- † A letter on letterhead stating you are a substantial and ongoing active participant*
- † Personal business card, membership card or participation certificate*
- † Receipt of membership dues*
- * Staff roster*
- † Other similar documentation proving that you work or participate in substantial and ongoing manner in a senior citizen service group or organization

YOUTH REPRESENTATIVE

Age Specific Category: The following forms of documentation shall be accepted as proof of appropriate age to vote or run for position (if required as in the case of some Neighborhood Councils that have age restrictions to run or vote for a Youth Seat. You will need to show one proof from List A **or** two from List B. At least one document from List B must prove your age.

List A

- † Valid CA Driver's License
- † Valid CA Identification Card
- † Valid Passport
- † Valid school ID with address and date of birth (DOB)

List B

- **†** Birth Certificate
- † Other similar documentation proving that you meet the youth age qualifications

Participation Requirement Category: The following forms of documentation shall be accepted as proof of participation, employment, and membership for those Neighborhood Councils that require proof of participation, employment, and membership in an organization that serves youth in order to vote or run for the Youth Seat. You will need to show one proof from List A **and** one from List B **or** two from List B. At least one document from List B must prove that you participate, work at, or are a member in an organization that serves youths within the boundaries of the Neighborhood Council. These documents are marked with an asterisk.

All documentation provided must, to a reasonable extent, show the stakeholder's

name and the name and address of the youth organization in question.

List A

- † Valid CA Driver's License
- † Valid CA Identification Card
- † Valid Passport
- † Valid picture ID (school, work, gym, club, credit card, etc.)

List B

- † Pay check or stub*
- † A letter on letterhead stating that you are a substantial and ongoing active participant*
- † Personal business card, membership card or participation certificate*
- † Receipt of membership dues*
- * Staff roster
- † Other similar documentation proving that you work or participate in a substantial and ongoing manner in a youth organization

PARK ADVOCATE/ENVIRONMENT REPRESENTATIVE

The following forms of documentation shall be accepted as proof of park advocacy or employment, participation, or membership in an environmental group or organization. You will need to show one proof from List A **and** one from List B **or** two from List B. At least one document from List B must prove that you are a park advocate or participate, work at, or are a member in an environmental organization within the boundaries of the Neighborhood Council. These documents are marked with an asterisk.

All documentation provided must, to a reasonable extent, show the stakeholder's name and the name and address of the park advocacy group or environmental organization in question.

List A

- † Valid CA Driver's License
- † Valid CA Identification Card
- † Valid Passport
- † Valid picture ID (school, work, gym, club, credit card, etc.)

- † Environmental magazine subscription
- † Pay check or stub*
- † A letter on letterhead stating that you are a substantial and ongoing active participant*
- † Personal business card, membership card or participation certificate*
- † Receipt of membership dues*
- † Staff roster*

† Other similar documentation proving that you work or participate in a substantial and ongoing manner in a park advocacy group or environmental organization

HORSE OWNER REPRESENTATIVE

The following forms of documentation shall be accepted as proof of horse ownership. You will need to show one proof from List A **and** one from List B **or** two from List B. At least one document from List B must prove horse ownership within the boundaries of the Neighborhood Council. These documents are marked with an asterisk.

All documentation provided must, to a reasonable extent, show the stakeholder's name and an address corresponding to horse ownership within the Neighborhood Council.

List A

- † Valid CA Driver's License
- † Valid CA Identification Card
- † Valid Passport
- † Valid picture ID (school, work, gym, club, credit card, etc.)

List B

- † Membership card from a horse owner's club or similar organization*
- † Certificate of horse ownership*
- † A copy of a horse stable boarding agreement with the horse owner's name and the name and address of the stable*
- † Receipt from veterinarian with the horse owner's name*

HOMELESS REPRESENTATIVE

A stakeholder who is homeless within the neighborhood may run or vote for this seat. You will need to show one proof from List A **and** one proof from List B (document must prove stakeholder status claim), **or** two from List B.

List A

- † Valid CA Driver's License
- † Valid CA Identification Card
- † Valid Passport
- † Valid picture ID (school, work, gym, club, credit card, etc.)

- † A letter from shelter with your name and the name and address of the shelter
- † Self-affirmation to be eligible to vote for Neighborhood Councils that have chosen to use this format

AT-LARGE SEAT

A stakeholder within the NC's boundaries may run or vote for this seat. For some NCs this seat may also be the Factual Basis Seat. You will need to show one proof from List A **and** one proof from List B (document must prove stakeholder status claim), **or** two from List B.

List A

- † Valid CA Driver's License
- † Valid CA Identification Card
- † Valid Passport
- † Valid picture ID (school, work, gym, club, credit card, etc.)

- † Any documentation previously listed in this document based on the type of stakeholder qualification to run and vote for the seat
- † Self-affirmation to be eligible to vote for Neighborhood Councils that have chosen to use this format

SAMPLE LETTER

(Please prepare letter on the entity's letterhead with address and contact information)
Date
City of Los Angeles Neighborhood Council Elections
To Whom It May Concern:
Sincerely,
Name Title

Subject: [SPAM]Fwd: Re: Skid Row Neighborhood Council questions **Date:** Tuesday, January 30, 2018 at 6:22:18 PM Pacific Standard Time

From: General Jeff

To: Christine Challoner
CC: Katherine Mcnenny

Random SRNC-FC Subdivision correspondence with replies from DONE (Notice the dates- just days before our election)

General Jeff 323.445.0723 (cell)

Visit our Skid Row Neighborhood Council- Formation Committee website

https://skidrowneighborhoodcouncil.com

#SkidRowStillHere #SkidRowStillHere

Twitter: @GoSkidRowGo

Instagram: @SkidRowGeneralJeff

Skid Row community activist-ISSUES AND SOLUTIONS (2007-present)

Former LA County-Appointed Official
Consumer Representative on the
inaugural LA County Health Agency Integration Advisory BoardSelected by Mental Health Commission
(2015-2017)
Chair- LA County Health Agency IAB Subcommittee on Homelessness
(2015-2017)

Former Co-Chair- Skid Row Community Advisory Board for the Department of Mental Health (2012-2017)

Chair- "Skid Row Public Space Task Force" (2012-present)

Chair- Skid Row Neighborhood Council- Formation Committee (2014-present)

Former LA City-Elected Official (3 Two-Year Terms) Resident Director- Central City East/Skid Row Board of Directors Downtown Los Angeles Neighborhood Council (2008-2014) Former VP, Outreach and Communications- DLANC (2011-2012)

Former State-Appointed Official California State Department of Public Health- Office of Health Equity-inaugural Advisory Committee Member (2013-2015)

On Monday, March 20, 2017 12:26 PM, Antonio Rodriguez <antoniothefirst@gmail.com> wrote:

Got this from Mike Fong today.

----- Forwarded message -----

From: "Mike Fong" < mike.fong@lacity.org>

Date: Mar 20, 2017 12:23 PM

Subject: Re: Skid Row Neighborhood Council questions To: "Antonio Rodriguez" antoniothefirst@gmail.com

Cc: "Mario Hernandez" < mario.hernandez@lacity.org >, "Stephen Box"

<stephen.box@lacity.org>

Hi Antonio,

Hope you are doing well.

I have attached some info below regarding qualifying documents for NC elections:

QUALIFYING DOCUMENTS for Neighborhood Council elections

NEED HELP?

Write to <u>elections@empowerla.org</u>, or call (818) 293-VOTE (8683)

PHOTO ID

Documents on the following list are acceptable proof of identity to vote in a Neighborhood Council election:

- CA driver's license
- CA identification card
- Passport
- Credit card with your photo on it

Other picture ID showing your name - work, school, gym, club, etc.

...this list is for illustration purposes only,

and is not meant to be exhaustive. There are additional documentation types that may be acceptable, so long as they show both your name & a photo of you.

LIVE

Documents on the following list are acceptable proof that you live within the council boundaries:

- current mail with your name/address
- · current utility bill with your name/home address
- current lease agreement
- current rent receipt
- letter from landlord, Renter's Association, Homeowner's Association, or Neighborhood Watch verifying your residency (see a sample letter <u>HERE</u>)
- renter's insurance policy
- homeowner's insurance policy
- LA County property tax bill
- current mortgage statement
- deed
- Homeowner's Association bill
- County Assessor Parcel Number (APN) for your address

...this list is for illustration purposes only,

and is not meant to be exhaustive. There are additional documentation types that may be acceptable, so long as they show both your name and an address within the council boundaries.

WORK

Documents on the following list are acceptable proof that you work within the council boundaries. Please note that whatever you provide must show a business name, your name and an address that falls in the Neighborhood Council boundaries:

- current W2 or 1099
- project/job contract or service agreement
- work permit
- letter from employer on business letterhead (see sample letter HERE)
- personal business card with your name + business name/address
- staff roster showing your name
- current business mail with your name/business name/business address
- pay stub or paycheck
- business lease or rental agreement
- business rental receipt
- · invoices from vendors

- printed advertisement or business webpage (showing both your name as owner/employee
 + local address)
- commercial lease or rental receipt
- current City of LA business license
- CA State Board of Equalization resale certificate
- LA County property tax bill
- letter from local Business Improvement District or Chamber of Commerce stating you own the business or property in question (see sample letter <u>HERE</u>)

...this list is for illustration purposes only,

and is not meant to be exhaustive. There are additional documentation types that may be acceptable proof that you work locally, so long as they show both your name and an address within the council boundaries.

OWN

Documents on the following list are acceptable proof that you own a residential or commercial property within the council boundaries:

- LA County property tax bill
- Current residential or commercial mortgage statement
- homeowner's insurance policy
- deed
- Homeowner's Association bill
- County Assessor Parcel Number (APN) for your address
- Letter from local Homeowners' Association verifying your ownership at that address (see a sample letter <u>HERE</u>)
- Letter from local Business Improvement District (BID) or Chamber of Commerce verifying

your ownership at that address (see a sample letter <u>HERE</u>)

...this list is for illustration purposes only,

and is not meant to be exhaustive. There are additional documentation types that may be acceptable proof that you own a residential or commercial property locally, so long as they show both your name and an address within the council boundaries.

ONGOING & SUBSTANTIAL PARTICIPATION

Documents on the following list are acceptable proof that you have a "community interest" within the council boundaries, meaning that you have a substantial and ongoing participation with a group or organization within the area. In general, documents that verify that you are a community interest stakeholder should show both your name and the organization's name, as well as an address for the organization that falls within council

and the organization's name, as well as an address for the organization that falls within council boundaries:

- Personal business card, membership card or participation certificate
- Church, school or other organizational roster
- Flyer, agenda, calendar or newsletter

- Letter on official letterhead from school; church; or organization stating that you have a substantial & ongoing participation there (see a sample letter <u>HERE</u>)
- Receipt for membership dues or contributions

...this list is for illustration purposes only,

and is not meant to be exhaustive. There are additional documentation types that may be acceptable proof that you have a substantial and ongoing participation locally, so long as they show both your name; the name of your organization; and an address within the council boundaries.

Thanks!

Best,

Mike

On Mon, Mar 20, 2017 at 10:58 AM, Antonio Rodriguez antoniothefirst@gmail.com wrote:

Mario,

Checking in to see how the information gathering is going.

With less than 3 weeks till the vote, I know folks are eager to better understand how this process will work logistically.

Thanks again for your effort in bringing clarity to such an historic and important matter!

Antonio

On Mar 14, 2017 5:44 PM, "Mario Hernandez" < <u>mario.hernandez@lacity.org</u>> wrote: Hi Antonio,

Thank you for reaching out to the Department for assist on your questions. I will gather the info and provide to you tomorrow, Wednesday.

If you have additional questions, please feel free to call me at (213) 978-1551.

Mario Hernandez Project Coordinator

Department of Neighborhood Empowerment

200 N. Spring Street, Fl 20 Los Angeles, CA 90012

Office | 213-973-1639 Fax | 213-978-1751

Email | mario.hernandez@lacity.org | Web | www.EmpowerLA.org

Empower Your Self. Empower Your Community. Empower LA.

https://www.youtube.com/watch? v=IJ77Zz-RsFo

Attachments area
Preview YouTube video Welcome to EmpowerLA!

On Tue, Mar 14, 2017 at 2:21 PM, Antonio Rodriguez < antoniothefirst@gmail.com wrote:

Mario,

I attended the public meeting held last week for the vote on the formation of the Skid Row neighborhood council. (I was the guy in the back who said he's a fan of democracy.)

I spoke with Patricia Mares, an Administrative Clerk in the Department of Neighborhood Empowerment, earlier today in hopes of gaining clarity in a few areas. You're one of the folks she told me to contact for answers.

Here are some areas I'm seeking clarity in:

Who, exactly, will be allowed to cast a vote in the April DTLA NC election?

What criteria do they need to meet?

What proof do they need to provide?

My understanding is that neighborhood based organizations can create lists of stakeholders that would satisfy voting requirements. If so, what are the guidelines for that process?

When do organizations need to turn in these lists by?

Do individuals on these lists also need to provide ID?

Any suggestion on how to ensure that homeless residents with ID issues could still participate in the process?

Also.

How has DTLA turned out for past elections?

How have other NC's in the same region fared during their elections, as far as voter participation.

Phew! I know that's alot. I reached out to Mike Fong with these same questions. Thanks greatly for taking it all in. And if there's a way you think I can help you serve this process, please let me know!

Antonio

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              BEFORE THE CITY OF LOS ANGELES
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          DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT
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             COMMISSIONER STONE, PRESIDENT
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                                               Hearing"
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24 CSR No. 8061
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             BEFORE THE CITY OF LOS ANGELES
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	DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT
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	EMPOWERMENT, CITY OF LOS ANGELES, transcribed
	by LYNN E. VALENTI, CSR No. 8061, a Certified
	Shorthand Reporter for the State of California.
	City of Iog America
	City of Los Angeles Department of Neighborhood Empowerment
	Tape No. "Combined Hearing"
	Tape No. Combined hearing
	COMMISSIONER STONE: We almost made it by 11

06 o'clock. 07 We are now going to proceed with the 08 agenda, and that is item number 3, combined public hearing regarding the applications for 10 neighborhood --11 Am I on? Hello. 12 Okay. We are now going to continue --13 thank you -- with item number 3, which is the combined public hearing regarding the applications for neighborhood council status by three groups, the 16 Downtown Los Angeles Neighborhood Council, the 17 Lincoln Heights Neighborhood Council, and Historic 18 Cultural Neighborhood Council. 19 What we are going to do in this -- since 20 we have a combined hearing with three different 21 applications, we're going to ask Romero on behalf of 22 the staff to present one presentation touching on 23 all three of the applications. 2.4 The commission has already been provided 25 with the staff report that makes all the findings, 0004 01 so we have all of that before us. What we'd like 02 you to do, if at all possible to expedite the 03 process, is to give us a combined presentation 04 touching on issues of concern. 05 What we're then going to do is ask each of 06 the -- the commission will then have questions of 07 staff. Each applicant will then be able to make a 08 presentation with questions by the commission, and 09 then we'll move into public comment. 10 And I have quite a stack of folks that 11 want to speak on item number 3. We're not going to 12 break it down into letters A, B, and C. What we'll 13 do is go through it alphabetically, ask everyone to 14 make their comments and to keep their comments as --15 as brief as possible. 16 But let's move into the staff report now 17 on item number 3. 18 ROMERO: All three have, of course, presented 19 themselves for certification. 20 In -- in looking at the -- in looking at 21 outreach, all of them satisfy the outreach 22 requirements. In looking at financial accountability, all have specified their approach to financial accountability, and their bylaws, they 25 have met that requirements, and all have given us 0005 01 contact persons and provided posting locations. 02 So all are found in that -- in those areas 03 to be in compliance with the requirements of the 04 plan and the ordinance. 05 Where we have the issues are in 06 boundaries, and I will start with the downtown and 07 -- because the overlaps that we're talking about all

09 In -- in presenting their rationale for a 10 boundary, the downtown indicated that they started 11 with the historic recognized boundaries of downtown, which would be the freeways, the -- the L.A. River, 13 and then expanded their boundaries based upon 14 stakeholders coming to them asking to be included 15 within the boundaries. 16 The first boundary overlap that we -- we 17 consider is -- let's see here -- the overlap between 18 the -- the downtown and Lincoln Heights. In that, the boundary overlap is bounded by the Los Angeles 19 20 River on the west, Main Street on the north, Daly 21 Street to the east, and Mission to the south. 22 In their application Lincoln Heights 23 indicated that they have a well-represented artist 24 community, that it -- that they tend to the needs 25 and the endeavors of that community, that 0006 01 historically and geographically they have been known 02 as Lincoln Heights beginning at the river, and that the Los Angeles River creates a natural western 04 boundary between downtown and its suburbs. 05 The Downtown Los Angeles Neighborhood 06 Council, which I'll refer to as DLANC, had also several reasons for including the brewery. The idea 08 was it was a natural -- their -- they shared an identity with the diversity of DLANC, rather than 10 being associated with what was perceived as the more 11 homogeneous suburban quality of Lincoln Heights. 12 They shared housing quality and economic 13 development issues with downtown -- we're talking 14 largely about the brewery as an overlap situation --15 and in using maps, most of the time the brewery is shown as part of downtown as opposed to part of 17 Lincoln Heights. 18 They also cite that they have cultural ties in the form of commonality of interest with 19 20 downtown, particularly their cultural institutions 21 such as museums, and that they felt a more -- the 22 downtown had a more international cosmopolitan rhythm and orientation, and that better fit with the 24 -- the brewery itself. There has been attempts to -- to mediate 25 0007 01 this conflict between Lincoln Heights regarding the 02 brewery and the downtown. There have been several 03 meetings. The Department's assessment of these meetings has been that they have been held in good faith. Both sides, however, felt very passionately 06 about their issues and we came to an impasse. In terms of some of the resolutions that 07 08 were on the table, include the brewery within the 09 downtown boundaries, have representatives of the

08 involve the downtown area.

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brewery on the downtown board and have
    representatives on the board of Lincoln Heights.
 11
 12
              Another option was simply for Lincoln
13 Heights to exclude the brewery from their
 14 boundaries. Another was to continue the -- the
    communication so that the artists in both areas
 16 could -- could still have a vehicle for dialogue.
              And the other possibility was that the
17
 18 members of the brewery would be members of both
 19 Lincoln Heights and the Downtown Neighborhood
 20 Council. Another was to ask the city declare the
 21 brewery as a landmark of historical significance for
    shared boundary purposes, and another was for the
 23 brewery to outreach with more brewery residents to
 24 find out where the stakeholder interest was.
 25
              On March 11th the Downtown Neighborhood
8000
 01 Council invited Lincoln Heights to make a
 02 presentation before their general membership in that
    Lincoln Heights stressed their historical boundaries
 04 and gave information about why they felt that
 05 Lincoln Heights should have the brewery.
 06
              The following month the representatives
 07 from the brewery made their presentations to the --
 08 to the -- the membership of the downtown, requesting
 09 to have downtown keep them in their -- in their
 10 boundaries.
 11
              During that meeting they had several
 12 arguments in challenge of Lincoln Heights, one of
    which is that although the community plan shows the
 14 brewery in Lincoln Heights, the brewery actually is
 15
   in a separate Council District.
              The other was that Lincoln Heights did not
17 have as large an artistic community as the brewery
 18 and that -- and as downtown, and so it seemed more
19 natural that the brewery would link with downtown.
 20
              The other point that was made was Lincoln
 21 Heights considers the beginning of their community
 22 at the brew- -- at the river, and just with some
   informal soliciting of opinions, there was -- the
 24 brewery's representative thought that many people
 25
    saw Lincoln Heights beginning at the 5 Freeway.
0009
 01
              After the presentation was made the
 02 general membership of the downtown voted to keep the
    brewery within Lincoln Heights -- I'm sorry --
 04 within downtown, and so as a result, we come to the
 05 Board today with no real resolution as to where the
 06 brewery should be, be it downtown or be it in
 07 Lincoln Heights.
 8 0
              The Department has tracked the situation
 09 and we have made the recommendation based on the
    community plan area, and the community plan area
 11 draws the boundaries of Lincoln Heights at the
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12 river.
              The concern that we had was a couple of
13
14 things. One is between downtown and the brewery are
15 several commercial establishments, one of which is
16 the San Antonio winery and another is United Parcel
17 Services, and that stands in between the boundary,
18 downtown, and the brewery, and then the rest of
19 Lincoln Heights.
20
              The concern that we had is that if we
21 followed the boundaries presented by the Downtown
22 Neighborhood Council, they would have drawn the
23 boundary at Daly and Lincoln Heights would have been
24 effectively cut off from landmarks such as the
25 winery that it has historically considered as its
0010
01 own.
02
         UNIDENTIFIED SPEAKER: Excuse me. Is it
03 possible to take that microphone and, as you're
04 speaking -- it would really be helpful. Or use that
05 mike, maybe Darren's.
06
         ROMERO: Let me do this --
07
         UNIDENTIFIED SPEAKER: Okay.
8 0
         ROMERO: Do you think you could -- you could --
09 oh, (inaudible).
10
         UNIDENTIFIED SPEAKER: Or just use Darren's.
11
         MR. MARTINEZ: And -- Darren Martinez, deputy
12 city attorney. And I would suggest also to try to
   just attempt to indicate for the record what you are
14 pointing to instead of "this" or "that," just try
15 maybe briefly to say "this street" or (inaudible).
16
         ROMERO: Okay. Marco, if you could make that
17 clar- -- clar- --
18
         UNIDENTIFIED SPEAKER: Sorry to interrupt.
19
         ROMERO: That's okay.
         UNIDENTIFIED SPEAKER: It just would -- it just
21 would make it easier.
         ROMERO: That's okay. It was -- you weren't
23 tracking. That's okay.
24
              Marco, if you could -- appreciate it.
25
         MARCO PEREZ: Yeah, the area -- the area in
0011
01
    dispute is bounded by the L.A. River on the -- on
02 the west, Cesar Chavez to Mission to Marengo to Daly
   Street, and this is Main Street up here. The
04 brewery is off of Main Street in this area around
05 Moulton Street.
06
              So most of the business that have
07 considered themselves as, like she mentioned,
08 historical landmarks in Lincoln Heights such as the
    winery are on Main Street right before reaching the
10 brewery. UPS is also right next -- adjacent to the
11 brewery. It's --
12
              Is that a little bit more clear?
13
         COMMISSIONER WOODS GRAY: Can you point out
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14 again where UPS and the -- and San Antonio winery
 15 are?
16
         MARCO PEREZ: San -- San Antonio winery is
17 approximately right about here on Lamar Street, in
 18 between Gibbons and Lamar, and the UPS is in between
 19 Lamar and Moulton. Moulton Street is the brewery
 20 area, generally.
         UNIDENTIFIED AUDIENCE MEMBER: (Inaudible).
 2.1
 22
         ROMERO: Okay. So --
 23
         UNIDENTIFIED AUDIENCE MEMBER: Thanks.
         ROMERO: Okay. The concern that -- that was --
 25 that we had was if we drew the boundary at Daly
0012
 01 Street, we would have -- we would essentially close
 02 off Lincoln Heights from businesses that they --
 03
    they consider a part of Lincoln Heights.
 04
              But the flip side of that was the brewery
 05 residents and organizers presented almost 300
 06 residents' signatures expressing their desire to be
    a part of the Los Angeles Downtown Neighborhood
 08 Council, DLANC.
              In addition, they also presented about 562
10 signatures of nonresidents, persons of the brewery,
11 that felt that the brewery should be allowed to be a
12 part of the Downtown Neighborhood Council.
13
              The staff recommendation is really based
 14 upon the -- the community plan boundaries for -- for
 15 Lincoln Heights. And -- and so our recommendation
 16 is that the commission follow the community plan and
17 allocate the brewery to Lincoln Heights.
 18
              The -- in view of the stakeholder -- the
 19 stakeholder preference for downtown, we tried to
 20 look for a way that the brewery alone could somehow
 21 be connected and picked up with downtown, and what
 22 we ran into was the compact and contiquous issue.
 23 And in discussing this with the brewery residents,
   about the only way we -- we saw that a connection
 25 could be made was through the railway yards, the
0013
 01 railway yards being conceived as a public use.
 0.2
              And in looking at that we found that even
 03 if you went through the railway yards, the
 04 connection is -- is -- is really difficult on a
    compact and contiguous argument. So that was the
 06 basis for the Department's recommendation.
 07
              The -- the next -- the next --
 08
         COMMISSIONER WOODS GRAY: Romero, before you
 09 move on.
 10
         ROMERO: Yes. I'm sorry.
 11
         COMMISSIONER WOODS GRAY: Could you point out
 12 the railroad -- the railway yard?
         MARCO PEREZ: (Inaudible).
13
 14
         COMMISSIONER WOODS GRAY: Yes, thank you.
 15
         ROMERO: Marco.
```

```
16
         MARCO PEREZ: The railroad yards extend from
17 the Union Station, which is approximately around
18 where's Alameda Street. Here's Alameda, Sunset --
19 or Cesar Chavez. This area is where the Union
20 Station is at.
21
              So the railroad tracks come up through
22 here and go behind the brewery.
         COMMISSIONER WOODS GRAY: I see.
24
         UNIDENTIFIED SPEAKER: The entire area down as
25 well.
0014
01
         MARCO PEREZ: This whole area right here is
02 comprised of railroad tracks here.
         COMMISSIONER WOODS GRAY: Oh.
03
         UNIDENTIFIED SPEAKER: All of that lower
05 triangle, that entire area --
06
         MR. MARTINEZ: Darren Martinez, deputy city
07 attorney.
              Just a brief mention for the audience,
0.8
09 when we're dealing with the speakers here, we do
10 need the speakers to be at the microphone. There
11 will be an opportunity allowed to members in the
12 audience to express their viewpoint.
              So at this point I just would request that
13
14 we do have -- we don't have any comments from the
15 audience so we do have a clean record. Thanks.
         COMMISSIONER WOODS GRAY: Marco, while you are
16
17 up there, the area that's directly -- I don't know
18 if that's east, west of what, but to the left of the
19 brewery across the river, what -- what is in that
20
   area?
21
         MARCO PEREZ: Yes. Along Main Street down to
22 Cesar Chavez, this whole area, there's a jail here,
23 the Twin Towers is located in this area right here.
         COMMISSIONER WOODS GRAY: Oh, it is that area.
2.4
25
         MARCO PEREZ: Along -- along Main Street
0015
01 there's some businesses. However, along Ann Street,
02 Bloom Street, this little area here, there's a major
03 public housing -- public housing community, William
04 Meade Homes, and -- and furthermore, right next to
05 it there's some businesses and even across the
06 street.
07
              But that's the major residential area in
08 this portion right here and the rest would just be
    like the -- you know, the jails. I believe down
10 here is where one -- the MTA station, the building,
11 One Gateway Plaza. Is that --
         COMMISSIONER WOODS GRAY: Oh, is that in there?
12
13
         COMMISSIONER STONE: And can you show on the
14 map where the staff recommends -- the boundary that
15 staff recommends we take off of that map. Is it
    just the river?
17
         ROMERO: It's the river.
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18
         MARCO PEREZ: Are you referring --
19
         COMMISSIONER STONE: (Inaudible).
2.0
         MARCO PEREZ: Yeah. Yeah, the recommendation
    for Lincoln Heights, the cutoff would be at the L.A.
22 River.
23
         COMMISSIONER STONE: Okay. Thank you.
24
         ROMERO: Okay. So staff recommends a finding
25 that draws the boundary between the Downtown
0016
01 Los Angeles Neighborhood Council and Lincoln Heights
02 Neighborhood Council at the L.A. River because we
03 feel it follows historical and contemporary
04 definitions of Lincoln Heights community and is
05 consistent with the community plan for the area as
06 described in planning department records. And it
07
    allows for more compact and contiguous boundary for
08 the Downtown Neighborhood Council.
09
              The staff recommendation would essentially
10 exclude the area known as the brewery from the
11 downtown's boundary.
12
              Another area that we are -- that has a
13 boundary dispute is essentially the downtown with
14 the Historic Cultural Neighborhood Council. The
15 Historic Cultural Neighborhood Council includes
16 Chinatown, Little Tokyo, the Forgotten Edge, Solano
17 Canyon, so it's -- as well as initially proposed to
   the Department, included the arts district and
18
19 Little Tokyo.
20
              Both -- both -- we have applications for
21 both. Dialogues were -- were conducted by both
    groups. The area of overlap is Little Tokyo and the
23 arts district. Both areas also appear in the
24 downtown on application, Downtown Neighborhood's
25 application.
0017
01
              When DLANC submitted their application on
02 December 11th, they proposed to include Little Tokyo
   and the arts districts. Historic Cultural
04 Neighborhood Council submitted their letter of
05 intent, and the letter of intent followed all of the
06 board's requirements. And they submitted their
    letter of intent on January 9th, within the required
08 time frame.
09
              The area of overlap was bounded by the
10 Los Angeles -- by Los Angeles Street, First Street
11
    to Alameda, northbound to Main Street to Vignes,
12 eastbound on Vignes to 101 Freeway to the Los
13 Angeles River, southbound along Los Angeles River to
   Seventh Street, west on Seventh Street to Alameda to
15 Fourth Street to Omar Street to Boyd, to the
16 Los Angeles Street, north to the Los Angeles Street
17 to the Temple, to Temple.
18
              Again, this is largely the boundaries for
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19 Little Tokyo and for the arts district, which also

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20 appeared in the Downtown's application.
21
              Both groups had outreach to the area. In
22 the case of Little Tokyo, their -- the Historic
23 Cultural Neighborhood Councils collected 80
    signatures and 30 business -- 30 businesses.
25 Downtown Neighborhood Councils collected 80
0018
01 signatures.
02
              In addition to that, the Little Tokyo
03 Community Council took a vote on October 30th, and
04 they voted to join the Historic Cultural
05 Neighborhood Council.
              The Little Tokyo Community Council is --
06
07 is a community association that represents 50
08 different organizations made up of residences,
09
    businesses, cultural institutions for the entire
10 Little Tokyo area. And I believe in your package
11 you saw a listing, you had a listing of all of the
12 organizations that's part of that.
13
              Although the vote --
14
         COMMISSIONER WOODS GRAY: Can I interrupt you
15 just for a minute?
         ROMERO: Sure.
16
         COMMISSIONER WOODS GRAY: Just for the
17
18 Commissioners, because we received our information
    so late they may not have gone through it, there is
    a map in there that shows the overlapping areas too,
21 in the back.
22
         ROMERO: The -- the Little Tokyo Community
23 Council did vote to have Little Tokyo appear in the
   -- be a part of Historic Cultural Neighborhood
25 Council.
0019
01
              During the mediation and dialogues between
02 Downtown and Historic Cultural there was discussion
03 about that vote. And there was concern because the
04 vote took place late in the agenda and that the vote
05 was very close. The vote to be a part of Historic
06 Cultural was eight to seven, and the board
07 membership is 50.
8 0
              One of the things that we saw in the -- in
    the dialogues going back and forth between Little
10 Tokyo and Historic Cultural and Downtown was the
11 appearance that Little Tokyo was extremely
12 conflicted about being in one or the other.
13
              Several compromises were attempted, and
14 one of the compromises that was put on the table
   that was accepted by all parties was to have Little
    Tokyo appear -- be a part of Historic Cultural and
17 to have the arts district be a part of Downtown.
18
              Now, the arts district, also, outreach was
19 done by both groups. The arts district does have a
20 board that is an association for the artists in the
21 arts district. And they, too, took a vote. The
```

22 vote there was -- was -- was overwhelmingly for the 23 Downtown. 2.4 In the dialogue sessions there was some 25 concern because some of the votes, or many of the 0020 01 votes was submitted by way of proxy. However, the 02 organization's bylaws, we're told, do allow for 03 proxy voting. So there was a solid vote for the arts district to be with Downtown. 05 In the outreach, both groups outreached to 06 the arts district. The Historic Cultural 07 Neighborhood Council collected 60 signatures; the 08 Downtown collected 79. 09 So this idea that basically the arts 10 district would go with Downtown, Little Tokyo would 11 go with Historic Cultural, in the case of Little 12 Tokyo being in Historic Cultural, they would elect 13 two people, one resident, one business, and those 14 would have a seat on the Downtown. 15 In the case of the artist district, the 16 artist district would remain with Downtown. They 17 would elect two, too, business and residents, and 18 they would have a seat on the Little -- the Historic 19 Cultural board. 20 In that way, it was almost like nobody had 21 to choose because they -- they basically have -they have stakeholder commentary in both groups. That -- that compromise was put before the Little Tokyo Community Council to see whether or not they would accept that, and it was voted unanimously to 25 0021 01 accept that. 02 On April 3rd the compromise was put before 03 the general membership of the Downtown Neighborhood 04 Council, and they voted to accept it. 05 So the recommendation of the department is that the board find that the -- the solution reflects contemporary boundaries for both groups and 07 approve and accept the -- the boundaries that would put Little Tokyo in Historic Cultural and put the 10 arts district in the Downtown. 11 Having accepted that -- that compromise, 12 there was a question as to what would be the 13 boundary for Little Tokyo. The Historic Cultural presented their application having the boundary for 15 Little Tokyo go down to the north side of Fourth 16 Street, and the Downtown Neighborhood Council

There was dialogue between the property
owners and representatives of Downtown and Little
Tokyo over a series of -- of three meetings. In
that dialogue many of the property owners that have
businesses on Third Street and Fourth Street were

17 presented their boundary showing Little Tokyo

stopping at the north side of Third Street.

18

```
24 present, and in your package you have letters from
25 many of them expressing where they wanted to be.
0022
01
              One of the compromise positions that was
02 put on the table was to draw the boundary at Third
    Street, but there are two religious facilities on
04 Third Street that have very deep and solid cultural
05 and historic roots in Little Tokyo.
06
              And one of the recommendations was to --
07 for the department to find that these two religious
08 organizations were in fact historical facilities
09 and, as such, could appear in the boundaries of both
10 groups. Although that proposal was discussed, there
11 was not a resolution to accept it one way or the
12 other, and so they had an impasse on that
13 recommendation.
14
              The department has reviewed the
15 recommendation and we would recommend to the board
16 that the boundary for Little Tokyo be drawn at Third
    Street, the north side of Third Street as -- and
18 that the two religious facilities be perceived as an
19 overlapping allowable boundary between the two
20 neighborhood councils.
21
              One --
2.2
         COMMISSIONER MEMBRENO: I'm sorry. Romero,
23 can you -- can you point out where those two --
    those two historical -- and they have been
25 designated historical?
0023
01
         ROMERO: No. No.
02
         COMMISSIONER MEMBRENO: Okay.
03
         ROMERO: This would -- this would simply be
04 based on the information that was supplied by the
05 two religious facilities.
         COMMISSIONER MEMBRENO: Okay. Can you point
07 out where they're at, please?
         UNIDENTIFIED SPEAKER: (Inaudible) church.
09
    (Inaudible).
10
         COMMISSIONER STONE: There's a microphone right
11 there.
12
         ROMERO: Oh.
13
         COMMISSIONER STONE: Do you want to get a mike
14 so that you can indicate for the record? Thank
15 you.
         UNIDENTIFIED SPEAKER: Right here. Use that.
16
17
         UNIDENTIFIED SPEAKER: Sentinery church is on
18 the Third and Central, on the north side of Third
19 Street.
         COMMISSIONER MEMBRENO: A little higher.
20
21 little higher.
         UNIDENTIFIED SPEAKER: I'm sorry. I can't find
23 Central. And the Temple is by Omar and Third
24 Street.
25
         ROMERO: Jadosu Temple is located on the south
```

0024 01 side of Third Street in the disputed area. The 02 temple's congregation and history is very much 03 connected to Little Tokyo. The temple was established in 1936 in East 05 Los Angeles at 614 East First Street and 06 subsequently, after World War II, was again established at 331 East First Street. From there it moved to the Crenshaw area in 1949 and then in 1992 09 moved back to Little Tokyo on the east side of Third 10 Street. 11 The congregation is composed mostly of 12 Japanese and Japanese Americans from Little Tokyo 13 and the overall Los Angeles area. The second church, Sentinerial United 15 Methodist Church also has historical and cultural 16 roots in Little Tokyo. The current senior minister, 17 Mark -- Reverend Mark Nakagawa, says that the roots 18 of this congregation were planted in 1896 when they were officially charted by the Methodist church, a 20 Japanese Methodist Episcopal mission in 21 Los Angeles. 22 From that point onward until 1922 the 23 congregation moved among several locations, all of them in Little Tokyo, most of them houses. In 1924 25 the church moved out of Little Tokyo and located 0025 01 closer to the Crenshaw area, which had a large 02 Japanese population. The church carried out its 03 ministry from that location for almost 50 years. 04 In 1985 the church made the decision to 05 move back to Little Tokyo when many businesses were leaving the downtown. Reverend Nakagawa explains 07 that move by saying, 8 0 "The decision to move back to 09 downtown at a time when most everyone else 10 was moving out was based on a spiritual, historical, and cultural reasons. 11 12 feeling among our congregation was that 13 Little Tokyo is the hub of Japanese 14 American community in southern California 15 and that our ministry must be centered 16 there as well." 17 The ordinance is very broad about 18 historical -- the definition of "historical." We 19 don't have very many standards or guidelines on 20 this. The community, the Historic Cultural 21 Neighborhood Council, bases a lot of its -- its community identification on roots in Chinatown, in 23 Little Tokyo. 24 The staff would find that the -- the 25 history as presented in these two religious 0026 01 facilities does meet the contemporary boundary

```
definitions of community for Little Tokyo.
 03
              The -- so we would recommend that
 04
    basically the -- the -- the board accept the
    compromise and identify the boundaries for Little
    Tokyo as including the two religious facilities but
 06
 07
    stopping at the north side of Third Street.
 80
             The third boundary that we -- conflict
09
    that we have is with the Skid Row neighborhood
10
    council, which has named itself Central City East.
11
              On April 24th, we -- and April -- April
12 15th we received a letter from the Skid Row -- or
13 I'm sorry, I'll call it Central City East
14) Neighborhood Council, identifying themself as a --
15 wanting to organize in the area.
16
             And that would be the boundaries of
17
    Seventh Street, Alameda, Fourth Street, Omar Avenue,
18 Boyd Street, Los Angeles Street, Third Street, and
19 Spring Street.
20
              In the letter they expressed the
21 difficulties they've had in organizing such a
22 disenfranchised community and a very strong feeling
23 that, if they were to have a strong voice in their
24) future, they needed to be their own neighborhood
council.
0027
01
              This was a letter that the department
02 received, but it did not meet the board's
03 requirements of a letter of intent in the sense of
04 signatures and -- and some of the other information
05 that the board would require.
06
           There has been an effort to organize the
07 -- the Central City East area for over a year. It
08 has not been particularly successful. One of the
09 things that the letter points out is that there is
10 new leadership and the belief that this new
11 leadership will make a difference.
12
              In their application, the Downtown
13 Neighborhood Council was aware of the organizing
14 efforts of a downtown group, and they expressed that
15 the group that was organized was really a small
16 faction of the Skid Row community and that most of
17
    the residents and businesses and people and social
18 service providers in the community wished to be with
19 -- part of the Downtown Neighborhood Council.
20
             They also stressed that the Skid Row
21 community historically, geographically, economically
22 is intertwined with the Downtown, and they strongly
23 feel that in their governing structure they have
24 provided adequate representation for the Skid Row
25 community.
0028
01
              Specifically, the board has designated two
02 seats for the area, one business, one residence, as
03 well as one seat for a member of the homeless
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04 community and three for social service providers at
05 large.
06
              The department has looked at the
07 recommendation -- has looked at the -- the letter
08 and tried to balance what we see is an area that is
09 squarely in the middle of Downtown. It does have
10 the -- a very high concentration of homelessness,
11 homeless persons. It also has a very high
12
    concentration of service agencies, and it also has a
13 high concentration of hotels and -- and SRO,
14 single-room occupancy hotels.
15
              So in terms of zeroing in on a
16 concentration of the homeless population, I think
17 this is an accurate representation of -- of the
18 concentration. The concern that the Department has
19 is if you walk the area or drive the area, is it
20 more than -- than the homeless population. It is a
21 mixture of businesses and the toy district, the --
the smaller businesses.
23
          And the concern that -- that we have is
24 whether or not there can be a balanced approach of
25 representing all interests within that bounded area,
0029
01 in addition to those of the homeless population.
02
              In looking at this from a size standpoint,
03 from a diversity standpoint, and from a capacity
04 standpoint, the department at this time recommends
05 that the department approve the boundaries as
06 submitted by the Downtown Neighborhood Council to
07 include the Skid Row area.
08
              Those are the -- those are the major
 09
   issues that the department has -- has centered in in
 10 their reports.
              At this point if the -- if the board were
11
 12 to follow the recommendations of the department in
13
    the case of the Downtown, that being include Skid
14 Row within their boundaries, include the artist
15
    district within their boundaries, have the boundary
    of the artist district extend to Third Street and
 16
 17
    include -- extend to Third Street, then the -- the
 18 Downtown has -- has complied with all of the
 19
    requirements surrounding boundaries.
 20
              They have presented a rationale, they have
    met the 20,000 requirement, and so we would find
    that they have met the boundary requirement and all
    other requirements, and would recommend that they be
 24
    certified.
 25
              In the case of Lincoln Heights, we would
0030
 01 recommend that the boundary for Lincoln Heights be
 02 as submitted, including the brewery, which would
    eliminate the overlap and, therefore, that would --
    they would have satisfied the boundary requirement,
 05 and we would recommend certification of Lincoln
```

```
06 Heights.
              In the case of Historic Cultural, we would
 07
 08 recommend that the artist district be removed from
 09 their -- their -- the boundaries of their
 10 neighborhood council and that the board find the --
 11 the two religious facilities as meeting the test for
 12 overlapping boundary and that those areas be made
13 part of their boundaries. And that would -- that
 14 would satisfy the boundary requirements, and we
 15 would recommend that they be approved.
16
         COMMISSIONER STONE: Thank you, Romero.
17
              Do we have questions from the
18 commissioners to staff before we ask the applicants
19 to present?
         COMMISSIONER WOODS GRAY: Could someone point
 21 out within the Little Tokyo area which part is the
 22 art district?
 2.3
         COMMISSIONER MEMBRENO: Actually, Romero, can
 24 we take a marker and -- and kind of mark the
 25 Downtown area recommendation from staff boundaries?
0031
 01
         COMMISSIONER WOODS GRAY: Which part is the art
 02 district? Where -- within Little Tokyo?
         UNIDENTIFIED SPEAKER: (Inaudible).
 03
 04
         COMMISSIONER WOODS GRAY: Okay.
 05
         COMMISSIONER STONE: Indicate where.
 06
         ROMERO: I believe it's from First Street, arts
 07 district -- is that correct -- First Street to
 08 Seventh. First Street down south by the river, down
 09 to Seventh Street, going west on Seventh, north on
 10 Alameda to First, and that's the arts district.
11
              For Little Tokyo, Temple, going west to
 12 Alameda, going south on Alameda to Third Street, to
 13 Los Angeles, up north Los Angeles to Temple. And
14 that's Little Tokyo.
15
         COMMISSIONER MEMBRENO: Okay.
16
         COMMISSIONER STONE: Do you have a question
17 (inaudible)?
 18
         COMMISSIONER MEMBRENO: Yeah, (inaudible).
19
         COMMISSIONER STONE: Commissioner Membreno?
 2.0
         COMMISSIONER MEMBRENO: A couple of questions
 21 on the -- let's begin on the top where -- with the
 22 brewery.
              The maps that you have provided to us --
 2.3
 24 let's see. Where are we at? So many of them. We
 25 have like 10 sets of these things -- show the
0032
 01 Downtown Neighborhood Council signature process in
    the Lincoln Heights overlap. However, it doesn't
 03 show any signatures on the area right adjacent to
04 that.
              That would be -- I don't know what -- I
 0.5
 06 think it would be Main. Is that Main? -- North
 07 Main to the river down to --
```

```
8 0
         COMMISSIONER WOODS GRAY: (Inaudible).
 09
         COMMISSIONER MEMBRENO: -- I guess it would be
10 the freeway.
11
              Is -- there were no signatures in that
 12 area submitted for this application, or can you give
 13 me a little bit of idea what that area is like?
         ROMERO: Okay. Marco -- there's a lot of
15 public use in -- in that area.
 16
              Marco, can you just call them out?
 17
         MARCO PEREZ: Public use facilities would be
 18 the jail, which is primarily around this area on
 19 South Vignes Street, and it lies approximately
 20 around here.
 21
         COMMISSIONER MEMBRENO: Okay. And -- and
 22 businesses all around that.
         MARCO PEREZ: There are some businesses along
 24 Main Street, right around here.
 25
         COMMISSIONER MEMBRENO: And William Meade Homes
0033
 01 is where?
         MARCO PEREZ: William Meade Homes is right next
 03 to that business, and it's this whole area right
 04 here.
         COMMISSIONER MEMBRENO: Okav.
 06
         MARCO PEREZ: And down on this side, yeah, you
 07 have the MTA, Metrolink station, but it's south of
 08 Cesar Chavez.
         COMMISSIONER MEMBRENO: Okay. You cited some
 10 numbers in terms of signatures gathered from the
11 brewery. You stated that there were 300 signatures
    that were turned in from the brewery area, from the
 13 Downtown Neighborhood Council applicant; is that
 14 correct?
15
         ROMERO: Correct. Correct.
         COMMISSIONER MEMBRENO: There was also 500 that
17 they were nonbrewery.
18
         ROMERO: They were nonresidents of the brewery
19 area.
 20
         COMMISSIONER MEMBRENO: Nonresidents, okay.
 21
         ROMERO: Nonresidents of the brewery area.
 22 They would -- were persons who signed a petition
 23 that felt that the -- the brewery should be allowed
 24 to be with Downtown.
 25
         COMMISSIONER MEMBRENO: Were these 500
0034
 01 signatures part of the overlap with Lincoln
 02 Heights?
         ROMERO: There -- it's -- it's part of the
 04 overlap with Lincoln Heights in the sense that it
 05 represents people who are not residents of Lincoln
 06 Heights, not residents of -- of the brewery, but who
 07 are making commentary as to the brewery not being in
 08 Lincoln Heights.
 09
         COMMISSIONER MEMBRENO: From these 500
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10 signatures we were not able to determine how many
11 came from residents or stakeholders in that
12 overlapping area?
13
         ROMERO: It's my understanding --
14
         COMMISSIONER MEMBRENO: Aside from the brewery
15 piece.
         ROMERO: Okay. Aside from the brewery piece,
17 no, because they were handed to the department on
18
   Thursday.
19
         COMMISSIONER MEMBRENO: Okay. In terms of the
20 Historic Neighborhood Council overlap, it seems to
21 me the -- the piece that goes -- I guess that would
22 be that map over there, that goes to the Historical
23 -- is that their boundaries as compromised?
              That piece right there east of -- no,
25 south of -- south of the freeway, the 101, that
0035
01 includes -- and that's -- that's Little Tokyo,
02 correct?
03
              Okay. All right. We have -- you talked
04 about -- I wasn't quite clear. You talked about a
05 membership of 50. I wasn't quite clear whether that
06 was the number of -- on the governing board of the
07 Downtown or the Historic --
8 0
         ROMERO: One of the --
09
         COMMISSIONER MEMBRENO: -- folks.
10
         ROMERO: One of the associations that was
11 outreached to was the Little Tokyo Community
12 Council. And the Little Tokyo Community Council
13 represents 50 different organizations in Little
   Tokyo. A combination of business associations,
15 social service, and resident associations are
16 represented on that body of 50. And it is being
17 used as a cross-section of the sentiment of Little
18 Tokvo.
19
              So when we talk about that particular body
20 weighing in on the compromise, that's what we were
21
    talking about, that initially Historic Cultural were
22 making presentations to this body about being a part
23 of Historic Cultural.
2.4
              Downtown also made presentations to the
25 body about being part of downtown, and they took a
0036
01 vote and that vote was 15; nine of -- seven against
02 and eight for.
03
         COMMISSIONER MEMBRENO: Out of the 50.
04
         ROMERO: Out of the 50.
05
         COMMISSIONER MEMBRENO: Gotcha. Okay.
         ROMERO: And we only bring that up as an
06
07 illustration that it's been very difficult for
08 Little Tokyo to absolutely commit one way or the
    other. And this idea of allowing them to be part of
10 Historic Cultural but still have seats on the
11 Downtown was a compromise between both groups that
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12 they felt they could live with.
         COMMISSIONER MEMBRENO: Okay. And you -- when
13
14 you talked about the proxy vote that came from -- I
15 believe the art district?
16
         ROMERO: The art district.
17
         COMMISSIONER MEMBRENO: Okay. And you cited
18 some bylaws that allow this to happen. Whose bylaws
19 are you talking about?
20
         ROMERO: I'm talking about the artist
21 association. And there's a -- it's called LARVA,
22 but I cannot remember what the acronym stands for.
   I'm sure there will be a speaker here that can
   address that. But it is an association of artists.
25 They did have a vote as to which place the art
0037
01 district should go, and that vote said Downtown.
02
         COMMISSIONER MEMBRENO: And how many -- I know
03 that you cited the signatures on that. Can you give
04 us this number again?
05
         ROMERO: Okay. In the case of the arts
06 district, Historic Cultural Neighborhood Council had
07 collected 60 signatures and the Downtown had
08 collected 79.
09
         COMMISSIONER MEMBRENO: Okay.
10
         ROMERO: One of the things to consider about
11 both groups is there was a real attempt to collect
   signatures from each of their subpopulations.
13 the case of Historic Cultural, there was Solano
14 Canyon, there was Chinatown, Little Tokyo, Forgotten
15 Edge, and so they were targetting their signature
    collection to make sure that they could say that
17 they had sampled each one of their communities.
              Downtown was doing the same thing in the
19 sense of it, too, has many communities of, you know,
20 Bunker Hill, the --the industrial, the fashion
21 district. And so they were all trying to make sure
22 that they had coverage in each of their districts.
         COMMISSIONER MEMBRENO: Okay. And the -- and
23
24 the last question that I have is on the Central City
25 East letter that was sent to the Department. There
0038
01 are some boundaries that maybe we can put on a map
02 at some point so that we can see it maybe with the
03 dark marker.
04
              One of the questions that I have is, was
05 there any initial dialogue from downtown with this
06 group at any point before or after the new
07 leadership came into being?
         ROMERO: I believe there was some dialogue with
0.8
09 the old leadership. The first letter that we
10 received regarding the new leadership was dated, I
11 believe, April 15th, with a followup letter on the
    17th -- I have to go back. And Downtown was not
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13 able to initiate any dialogue because that was

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14 essentially last week. So --
         COMMISSIONER MEMBRENO: Okav.
 15
16
         ROMERO: In -- let me put it this way:
17 Department-facilitated dialogue did not happen
 18 between the new group and Downtown, largely because
 19 of when we received the notice.
 20
         COMMISSIONER MEMBRENO: From the application,
 21 how was the -- how did Downtown express their
    involvement with the homeless population right in
 23 the Downtown area? Was it based on the seats that
 24 they were going to give the advocates and the social
 25 service agencies and (inaudible) talk about?
0039
 01
         ROMERO: That, and a combination of outreach,
 02 as well as allowing -- as well as having residents
   of the area be a participant on their formation
 04 committee and an active participant in the -- the
 05 activities of this forming group.
              They -- they do have monthly meetings,
 06
 07 they do have subcommittee meetings. And in terms of
 08 their -- their monthly meetings are conducted in a
 09 townhall fashion and votes are taken from whoever is
10 there and there --
         COMMISSIONER MEMBRENO: That's the Downtown?
 11
12
         ROMERO: That's Downtown.
13
         COMMISSIONER MEMBRENO: Okay.
 14
         ROMERO: And there have been representatives
 15 from the Central City East area present at those
16 meetings.
17
              And in their own outreach area --
 18 outreach, they have conducted outreach through
 19 fliering and some of their -- through -- one of the
 20 observations in their application was that there was
 21 a hot -- there was some usage of computers through
 22 the library by some of the residents in the area and
 23 that they did have all of their meeting notices
 24 posted on their website.
 25
              But they also had fliering, and they also
0040
 01 involved some of the service agencies in the Central
 02 City East area and -- in part of their outreach
 03 effort.
 04
         COMMISSIONER MEMBRENO: Okay. Is there anyone
 05 in the steering committee or interim board for -- of
 06 the Downtown Neighborhood Council, are there any
 07 representatives in that steering committee from that
 08 area?
         ROMERO: Now, that, I'd have to turn to the
 10 audience and ask. And I -- I defer that, too.
 11
         COMMISSIONER MEMBRENO: They can ask --answer
 12 that question when they come up.
         ROMERO: Yes.
13
 14
         COMMISSIONER MEMBRENO: Thank you.
 15
         COMMISSIONER STONE: Any other questions for
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16 staff at this point?
17
              Okay. Thank you, Romero.
18
              What we're now going to do is have each of
19
    the applicants make a 10-minute presentation, and
   then we will have --
20
21
         COMMISSIONER MEMBRENO: (Inaudible). We're
22 running out of time.
         COMMISSIONER STONE: After each 10-minute
2.3
    presentation, commission will be able to ask
25
    questions of that particular applicant. So -- and
0041
01 then we're going to go to public comment.
              I have 87 cards for public comment, and I
03 urge the applicants to make their points as briefly
04 as possible, and then we're going to have that same
05
    admonition for the public testimony as well.
06
              So let's turn this over to the applicant
07
   for the Downtown Los Angeles Neighborhood Council
   for presentation.
08
09
         MICHAEL GAGAN: Mr. President, members, my name
10 is Michael Gagan. I have lived and worked Downtown
11 for 15 years.
12
              I'm not the chairman of any steering
13 committee because we have, indeed, conducted our
14 meetings on a town hall basis, and it would be a
15 mistake to even refer to me as the chair or with any
16 other highfalutin designation, because we have made
   decisions on a collegial collaborative basis from
18 the very beginning. We won't have officers until we
19 conduct our elections.
20
              But our town hall is, as you will soon
21 find out, very well-represented by persons who can
22 speak quite well for Central City East, the area
23
   that we formerly referred to as Skid Row.
              I want to thank you for this opportunity,
25 Mr. President, members. I also want to thank the
0042
01 staff of DONE. Greg Nelson has been very helpful to
02 us, both before he became your general manager and
03 subsequently. Romero Malvo has been invaluable as
04 day-to-day guide to this labyrinth of a process, and
    Michelle Quevas, as well, has been tremendously
06 helpful to us.
07
              I would like to introduce a few people who
08 -- first of all, I'd like to introduce everyone who
09
    is part of Downtown Los Angeles Neighborhood Council
10 process if you wouldn't mind. And I would admonish
11 our people, given the number of speaker cards that
12 you have, if they absolutely insist on speaking,
13 that they turn their two minutes into maybe 30
14 seconds if that's all possible.
              Specifically, I want to introduce Marie
15
16 Condrin, who is a small business woman and resident
17 Downtown; Donald Garza, who is a military veteran, a
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18 student, and a resident of Downtown east; Orlando
    Ward who is the development director for the
19
20 Midnight Mission; Lisa Johnson, who is an officer
21 with Forest City Development and manages a very
    large apartment complex in South Park; and Ken
23 Smith, who is the leader of the fashion district
24 business improvement district, which is the first of
    seven BIDs that we have in the Downtown community.
25
0043
01 And any one of us or all of us will be available to
    answer any questions that -- that you might have.
              We very much appreciate your time and
03
04 attention. We respectfully request your
05 certification.
06
              I would say with respect to a significant
07 boundary dispute that Romero referred to relating to
8 0
   the overlap with the brewery and Lincoln Heights
09 Neighborhood Council, we are prepared today to
10 embrace the staff recommendation that the brewery
    physically be located in Lincoln Heights but that we
12 be authorized to retain in our bylaws representation
13 for two, a resident and a business interest in the
    brewery, on our governing board. That's the same
    compromise we have made elsewhere with adjoining
15
16 areas.
17
              With that, let me introduce Marie Condrin.
18
         MARIE CONDRIN: Thanks, Michael. Again, my
19 name is Marie Condrin, and I've been kind of helping
20 moderate the outreach for the group. As he said,
21 we've been conducting all of our meetings in town
    hall style, so at different times different people
23 have been spearheading the committee work, and so
24 it's been a very fluid process and there have been
25 over 300 participating members of the organizing
0044
01 process since our first meeting almost a year ago.
02
              Bless you.
         MICHAEL GAGAN: Thank you.
03
04
         MARIE CONDRIN: The philosophy of our outreach,
05 which has been the most important activity to this
   entire process that we've conducted over the past
    year, is just to -- there's a spirit of
08 inclusiveness that permeates all of our activities.
09 Pretty much the whole past year we've spent trying
10
    to reach as many people as possible representing as
11
    much diversity as possible among the Downtown
12 stakeholders.
13
              We have -- all of our activities, we've
14 tried to get as many people to the table as we
15 possible could, and for an area like Downtown, that
16 meant not only bringing the established
17 organizations and businesses and groups that are
    already organized but, even more importantly, I
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19 think, bringing together stakeholders who were not

20 organized, the renters, the seniors, the workers, 21 the low income, and the homeless. 22 And what has been so extraordinary among 23 every monthly meeting we've had hass bringing all of 2.4 these people in one room together, which so many 25 people have commented as being the most diverse 0045 01 group of Downtown inhabitants in one room they have ever seen, and having these people come together and 03 try to form a new group with new leaders that 04 represents a diverse group of stakeholders that have 05 never been in a group together before. So all the meetings that we've had, all 07 the outreach that we've done, included just people 08 going door to door with fliers in multiple 09 languages, handing out fliers, and especially in 10 areas where -- that haven't been represented in the 11 past like Skid Row. We disseminated a couple 12 thousand fliers through the Skid Row housing trust 13 and SRO housing, to every mailbox, to the low income 14 residents of those -- those organizations. We also did a lot of outreach through 16 e-mail. We have a website and an e-mail list. We've done a lot of media relations. We've had the 17 18 Benefit of public relation specialists for social 19 service providers and ---- not boundaries based on what people 20 21 came and who wanted to be a part of our group. So 22 we were always continuing with this philosophy of 23 keeping open arms to all the groups in Downtown who wanted to continue participating with our group. 25 would welcome them as long as they wanted to work 0046 01 with Downtown. I think that's it for the -- for what 03 we've done with outreach. We also had for people 04 who -- I think like 90 percent of our stakeholders that registered had e-mail. But the ones who 05 06 didn't, we also had a phone list. And so for every 07 meeting, we would call anyone who registered with us 08 to make sure that they all received continuous 09 notices about the meetings. 10 And then Don is also going to speak about 11 outreach. DON GARZA: My name is Don Garza. I'm a 12 13 resident of Central City East. I will tell you 14 where I live. I live on -- between San Julian 15 Street and San Pedro Street at the Southern Hotel, 16 the SRO hotel. Wonderful hotel. It's like living 17 in a condominium on the -- in the middle of Skid 18 Row, but I live in the heart of Skid Row. When the opportunity -- we had -- the 19

20 Downtown Los Angeles Neighborhood Council group has 21 been phenomenal. We have worked through so many

22 issues that a lot of people would think would be 23 difficult to get economically diverse people in one 24 room together. I have worked through my own issues 25 as far as my stereotypes of people with wealth. 0047 01 They have fought ardently to make sure on 02 our bylaws that our homeless representative on the board of directors is not going to be voted at large but by the homeless representatives, the homeless 05 themselves. 06 This -- this neighborhood, this group has 07 done a lot. As a matter of fact, I use myself as an example. Skid Row has been isolated for such a long 09 time, and this neighborhood council movement is 10 going to unisolate Skid Row. 11 I am sitting -- I am now a member of city 12 government because of the neighborhood council, 13 because I was able to network with people and talk 14 to people and they knew my stances on things. And I was elected -- it's not a big position, but it's the 16 -- I sit on the city center of redevelopment project 17 area committee. It's a pact for the redevelopment 18 agency. And I believe that this council, given the 19 20 opportunity to include Skid Row in its boundaries, 21 will -- will empower, allow the residents to be 22 empowered and be able to speak for themselves and 23 participate in government and have a voice in 24 government just like I am doing -- I'm sorry -- just 25 like I am doing right now. 0048 01 So I apologize for the -- and I love you 02 guys. 03

05

06

LISA JOHNSON: Good afternoon. Thank you for seeing us today. I'll be real brief and you can pull my card from the list.

I'm Lisa Johnson, and I've been involved 07 in the committee since almost its beginning, since 08 before it broke into committees.

09 And one of the really wonderful things 10 about what we've done with Downtown Neighborhood Council is be inclusive. If there's anything I 12 remember through the entire process is that it's 13 been about being inclusive rather than exclusive.

14 We wanted everybody to come to the table 15 without being accused of land grabbing or doing any 16 of these other things. It was really about what 17 does the community want, what do they want from this 18 -- this council in general.

19 So it was -- part of that also had to be 20 diverse in the types of interests that we have in 21 Downtown. Downtown has an incredible diversity, not just in race and ethnicity, but in interests, in the 23 homeless, in business as well as residential

24 interests. So there are many diversities here, not 25 just in race or ethnicity, although those do exist 0049

01 to a great degree as well. So there's a lot of 02 importance in what we're doing here.

So our mission was really to be about inclusive, whether it be with the brewery district or whether it be with Skid Row, or even with Little Tokyo. And we really wanted it to be about their decision, about what they wanted for their communities. And that's why we were supporting Little Tokyo in their decision and trying to make these negotiations, because we wanted what their community wanted as their best interest.

Skid Row, our outreach there has been tremendous, and you're going to hear a lot about some of the outreach from the people that have really made a difference and hit the pavement and talked to people and done the signatures.

17 And -- and I'm proud to be a part of what 18 they've done. It was really a great thing. Erin 19 and Orlando both have been incredible, and hopefully 20 you'll have an opportunity to hear from them today 21 as well.

But I just want to thank you again and 23 hope that you will certify us today. Thank you. 24 KENT SMITH: As Michael said, my name is Kent 25 Smith. I'm the executive director of the fashion 0050

01 district business improvement district in downtown 02 Los Angeles. I also, along with Lisa, co-chaired 03 the boundaries committee.

And for us, going through this -- this
process of getting to certification, of course,
boundary overlaps became something that we really
didn't think too much when we sat down initially in
our meetings and -- but certainly became a factor as
we moved toward certification.

10 And I'm happy to say that the last
11 neighborhood that you just certified, the North Area
12 Neighborhood Council, we had a significant boundary
13 overlap with that council and we were able to,
14 through the help of DONE but also through I think
15 the -- the good faith of both councils, to sort out
16 that boundary conflict.

And I think -- I think the Downtown
Neighborhood Council recognizes that the adjacent
neighborhood councils are going to be very important
going forward, and we have to work out our
differences in our boundary overlaps if we're going
to be successful in the future.

22 to be successful in the future.
23 And it was with that in mind that we sat
24 down with HCNC to try to deal with the significant

25 boundary overlap we had with the arts district and

0051 01 Little Tokyo. 02 I think the compromise that we've come 03 forward with is maybe a little unique, but I think it solidifies a working relationship that we can 05 have with HCNC going forward through, in our case, 06 having the arts district in our boundaries but have some representatives on HCNC and, in HCNC's case, 07 having -- we'll have some Little Tokyo 09 representatives on our -- on our council. 10 And I think that's going to help us in the 11 future working on a number of issues that are going 12 to be common to both those councils. 13 In the case of the brewery, it's been a 14 very difficult issue because residents in the 15 brewery feel very strongly about their identity to 16 Downtown. And I think in our endorsement of the --17 of the staff report, I think brewery residents are 18 very much demonstrating their commitment to working with adjacent neighborhood council as well, even 20 though they feel, as I said, very strongly about 21 their connections to -- to Downtown. And you know, I'm hoping that the -- the 22 23 Board will -- will look on this issue as a -- one 24 that we can continue to -- to work on together. So 25 I'll leave it at that. Thanks. 0052 01 ORLANDO WARD: Good morning. My name is 02 Orlando Ward. I'm with the Midnight Mission. 03 also sit on the governance committee of the Downtown 04 Neighborhood Council and help crafted the bylaws 05 that are in our application. 06 This morning I want to speak on behalf of 07 the Los Angeles Central Providers Collaborative, an 08 association of social service providers in and 09 around the Skid Row area of Los Angeles, including 10 such organizations as the Los Angeles Mission, 11 Marilyn Foundation, the Midnight Mission, People in 12 Progress, and -- and others. 13 These organizations provide programatic 14 services to over 2700 individuals and provide basic subsistence, advocacy, legal, medical, and various 16 treatment services for homeless. And there are 17 homeless men, women, and children in the Skid Row 18 area. 19 The collaborative is pleased and honored 20 to be a part of the organizing of Skid Row and is 21 grateful to the neighborhood council formation 22 process, which is providing to be a catalyst for 23 inclusion, communication, and community health. 24 The LACPC supports the efforts of all 25 community organizers and endorses the certification 0053 01 of this application for the Downtown Neighborhood

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02 Council. We are certain that the impoverished and
03 often fragmented community that we serve will have a
04 strong voice and ability to positively effect change
05 for all stakeholders within the area by active
06 participation in this group.
              We are particularly encouraged by the fact
07
08 that six director seats will be held by interests
09 representing our constituents.
10
              Thank you.
11
         MICHAEL GAGAN: We'll be happy to answer any
12 questions you have.
         COMMISSIONER STONE: Thank you very much.
13
              Do we have questions from the commission
14
15 at this time?
16
              Commissioner Membreno.
17
         COMMISSIONER MEMBRENO: Hi. A couple of things
18 that I wanted to ask on the -- in your opening
19 statements, that you're prepared to embrace the
20 recommendation from the Department regarding the
21 brewery.
22
              Now --
         MICHAEL GAGAN: Regarding the -- the boundary
2.3
24 with Lincoln Heights.
         COMMISSIONER MEMBRENO: Okay, regarding the
0054
01 boundaries with Lincoln Heights.
              You speak of the representation of two
03 business -- or two representatives from that
04 particular area to sit on your board.
              Was this determined as -- on a
0.5
06 collaborative effort with Lincoln Heights or -- or
07 is this an opinion that you're making today to -- to
08 bring representatives from Lincoln Heights into your
09 board based on the recommendation from the
10 department?
11
         MICHAEL GAGAN: No. This is a compromise
12 reached with the leadership of the Lincoln Heights
13 Neighborhood Council.
14
         COMMISSIONER MEMBRENO: What --
15
         MICHAEL GAGAN: It also, by the way, is
16 referred to in your staff report on page 4 as a
17 possible compromise that was suggested earlier on.
              Unfortunately, the -- that compromise
18
19 never came to the larger Downtown Los Angeles
20 Neighborhood Council formation group, and it wasn't
21 until the staff report came out late yesterday that
22 several of us saw that language.
              So this morning we seized on that language
24 and said if this matter is still on the table, it's
25 one that we should consider embracing. And after
0055
01 discussions with residents and businesses of the --
   the brewery and the two principle brewery people who
03 have been involved in our process, they agreed to
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04 that compromise. And then we took that proposal to the leadership of the Lincoln Heights Neighborhood 06 Council, and they embraced it as well. 07 COMMISSIONER MEMBRENO: Okay. And in terms of 08 the -- this representation on your board would mean that it would be exclusive to the brewery or -- or 10 is there anyone in that area of -- on the 11 overlapping area could be part of those two 12 representatives going to your board? 13 MICHAEL GAGAN: It would be any stakeholder in 14 the area that's being excised from our original 15 proposal to you. And as I understand it, that would include the area conventionally known as the brewery 17 as well as the area between the brewery and the Los 18 Angeles River. 19 COMMISSIONER MEMBRENO: Okay. On the outreach 20 to the Central City East Skid Row neighborhood 21 council, or the name given there, can you -- can you 22 speak a little bit about what were some of the concerns that they had and if they were brought to 24 you, other than the leadership that currently exists 25 in your governing board; were there others who came 0056 01 before you with concerns about representation of 02 that area, and what were their concerns? 03 MICHAEL GAGAN: Others --04 COMMISSIONER MEMBRENO: Others -- other 05 residents, other members, other stakeholders of that 07 MICHAEL GAGAN: Well, we've had very active 08 stakeholders from that area from the outset. it's difficult for me to say that perhaps there were 10 other stakeholders who didn't participate in our 11 process, because we did have stakeholders 12 participating. 13 My impression from just looking around the 14 room at several of the people who were very active 15 in our large group as well as in our boundaries 16 committee, our bylaws committee, and our outreach 17 committee, that a very substantial effort was made 18 to outreach. 19 In fact, if I'm not mistaken, over 300 of 20 the signatures of our original 800-plus that were 21 submitted to you are from the Skid Row area. COMMISSIONER MEMBRENO: Okay. In terms of the 23 area that is -- if you could point it out, Marco --24 just above the -- the freeway which consists --25 which has the William Meade housing development, can 0057 01 you speak of -- on the outreach that was done to 02 that area, please? 03 MICHAEL GAGAN: I personally cannot. Erin or 04 -- who? 05 UNIDENTIFIED SPEAKER: Eugenia.

```
06
         MICHAEL GAGAN: Eugenia? Or Don --
07
         DON GARZA: Well, I can speak a little bit
08 about it.
         MICHAEL GAGAN: Don?
         DON GARZA: We did do -- we did talk to --
10
11 there's a number of people that have interest in
12 that area. Unfortunately, it's not -- there's --
    it's not part of any organized BID area or
14 residents.
15
              William Meade residents were leafletted
16 for our meetings. Catellus, who owns Union Station,
17 was -- has been an active participant in Downtown,
18 and there's several other properties in that area
19 that have -- that have had owners and -- and
20 businesses that have participated in the process.
21
         COMMISSIONER MEMBRENO: During the outreach at
22 the William Meade housing developments, did you get
23 a sense of where they feel that they -- do they --
24 they feel part of the -- of Downtown?
         EUGENIA BUTLER: I could speak to that.
0058
01
         DON GARZA: You can got to state your name.
02
         EUGENIA BUTLER: We did --
         COMMISSIONER MEMBRENO: Can you state your
03
04 name, please, for the record (inaudible)?
         EUGENIA BUTLER: Sorry. My name is Eugenia
06 Butler, and I'm an artist, an educator, and live in
07
    the brewery part of Downtown Neighborhood Council.
8 0
              We did do outreach to William Meade. They
09 expressed an interest in being in part of Downtown.
    They were unwilling to sign petitions because they
11 were -- they expressed a fear that if they went
12 against their management that they could lose in
13 some way, and they didn't know the position that
14 their management took.
15
         COMMISSIONER MEMBRENO: What was their -- what
16 was the position of the management?
17
         EUGENIA BUTLER: I don't know. Does anybody
18 know the --
19
              We did have -- we did have a management
20 from William Meade as part of the -- in part of --
    on the issues committee in Downtown. So I would
22 assume that the management was also in -- in -- in
23 favor of Downtown.
         COMMISSIONER MEMBRENO: Okay. And I had a
25 question in terms of the bylaws. (Inaudible)
0059
01 questions here.
              You talk -- you mentioned that there is
03 no -- currently you don't have a chairperson or
04 anyone --
0.5
         MICHAEL GAGAN: We operate like a -- like a
06 Quaker meeting. We take a sense of the group.
07 will change, of course, when there's a governing
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08 board.
         COMMISSIONER MEMBRENO: Okay. So can you speak
09
10 a little bit about how is that going to change?
         MICHAEL GAGAN: Well, the governing board will
12 have the standard list of elected officers:
13 President, vice-president, treasurer, secretary.
14 Yeah, that's it.
         COMMISSIONER MEMBRENO: Okay. And number of
15
16 elected directors representing areas,
17 representing --
18
         MICHAEL GAGAN: There will be 27 directors.
19
         COMMISSIONER MEMBRENO: Okay.
20
         MICHAEL GAGAN: 11 representing residents,
21 eight representing businesses, three representing
22 social service providers, three representing arts,
    cultural and educational interests, one at large
24 homeless, one at large tenant, and two at large
25 members of the public and private work force.
0060
01
         COMMISSIONER MEMBRENO: Okay. In terms of the
02 -- the chairperson and -- and the executive
03 committee, that is open to everyone to -- to hold
04 that -- those seats, or are they from specific
05 areas?
06
         MICHAEL GAGAN: We have a provision where no
07 more than two officers may be from a single interest
08 category or a single geographic category. Our
09 residential representation is broken down by
10 discrete residential group -- neighborhoods within
11 our neighborhood, as are our business
12 representatives.
13
              But there's a system of checks and
14 balances with respect to where the officers
15 themselves can come from.
         COMMISSIONER MEMBRENO: Okay. And there's two
17 -- kind of two-in-one question here.
18
              You speak of the brewery area having -- or
19 that area having a representative on your board, or
20 two. How -- and also for the Historical Cultural
21 for the artist for Little Tokyo, correct?
2.2
              So who would -- who would be -- who would
23 be voting for those two representatives? Would it
24 be Lincoln Heights Neighborhood Council or would it
25 be the Downtown Neighborhood Council who would vote
0061
01 those two positions, either from the Historical or
02 from the Lincoln Heights?
         MICHAEL GAGAN: By their representative
04 business areas and residence areas. With respect to
05 the brewery, the area that is excised, or I
06 anticipate that will be excised from the boundaries
07 today that were part of our original boundary
08 proposal to you, those stakeholders will be eligible
09 to select their business representative and their
```

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10 residential representative. The other members of
11 Downtown will not.
         COMMISSIONER MEMBRENO: So from the excised
12
13 area, as you call it, you have one resident and one
14 business?
15
         MICHAEL GAGAN: Uh-huh.
         COMMISSIONER MEMBRENO: And from the
17 Historical, and I'm sorry, from the Little Tokyo?
         MICHAEL GAGAN: Little Tokyo, we have one
18
19 business and one resident.
         COMMISSIONER MEMBRENO: Okay. Thank you.
         COMMISSIONER STONE: Commissioner Woods Gray.
2.1
         COMMISSIONER WOODS GRAY: A question comes to
23 mind. If these areas -- I guess this is for the
   city attorney. I assumed it's probably legal. I
25
   just have to ask the question.
0062
01
              If the brewery is excised from this group
02 and the other groups are not a part of the
    neighborhood council, they can actually legally have
04 representation in two places, in this neighborhood
05 council and another neighborhood council?
         MR. MARTINEZ: There wouldn't be -- there
06
07 wouldn't be any prohibition under the plan for doing
        It may not be advisable, but they're free to go
09 ahead and form whatever type of governing structure
    that they find suitable for their -- within limits,
11 that they find suitable for their organization.
              So if they do want to give seats on their
13 board to outside interests, that would be a
    possibility. And they've also specified on the
15 record how these members are to be chosen, and I
16 assumed that that initial election procedure will
17 also apply to these added members.
18
              Correct?
19
         MICHAEL GAGAN: They wouldn't be added members,
20 but --
21
         MR. MARTINEZ: Or to this --
22
         MICHAEL GAGAN: Yes.
23
         MR. MARTINEZ: To the --
         MICHAEL GAGAN: That would be the process used.
2.4
25
         COMMISSIONER WOODS GRAY: -- brewery, brewery
0063
01 and Historic --
         MICHAEL GAGAN: Yes.
02
03
         MR. MARTINEZ: -- members.
04
         MICHAEL GAGAN: Uh-huh.
05
         MR. MARTINEZ: All right.
         COMMISSIONER WOODS GRAY: And so from each of
06
   these areas you'll have one representative of the
08 business and one of the residents?
         MICHAEL GAGAN: Correct.
09
10
         COMMISSIONER WOODS GRAY: Okay. Now, I have
11 another concern. I was looking at the signature
```

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12 gathering, and I'm concerned about this area that's
13 up near the river.
14
              Just across the river from the brewery
15 there's -- a number of people up there but no
 16 (inaudible) for signatures whatsoever. And it just
 17 raises a concern that it appears that the Downtown
 18 area may be isolated from this group of people, and
19 that's just contrary to my belief of neighborhood
    councils where they really have to all be inclusive
 21 of everybody who lives in the neighborhood.
 2.2
              And if -- since there are no dots there
 23 for a signature collection, what is your plan to
 24 outreach to that area to bring those people into
 25 your neighborhood council?
0064
 01
         MICHAEL GAGAN: My understanding is that your
 02 package should include letters from a number of
 03 people in that area.
         COMMISSIONER WOODS GRAY: When you say a
 05 number, how many is that? 'Cause it's about, what,
 06 a number of thousands of people that live up there.
         MICHAEL GAGAN: 57, I understand.
         COMMISSIONER MEMBRENO: Can you -- I'm sorry,
0.8
 09 Marco. Can you point out the area that Commissioner
10 Woods Gray is talking about?
11
         ROMERO: It's the --
12
         MARCO PEREZ: Are you referring to this area
13 here?
         COMMISSIONER WOODS GRAY: Yes, that's the area
15 on my -- I see no -- no -- there is not one dot up
 16 there anyplace. Yet you skipped over to the brewery
 17 and there are lots of dots.
         DON LEVY: (Inaudible).
19
         COMMISSIONER WOODS GRAY: Could you use the
 20 mike, please?
 21
         DON LEVY: My name is Don Levy, and I'm in the
 22 brewery. And this map may be helpful to you. It is
 23 essentially the same map but it's more clear.
 24
              This is the Downtown Neighborhood
 25 Council. This is the disputed area. These are the
0065
 01 railroad yards. These dots, three hundred -- 257
 02 here and 57 --
         COMMISSIONER WOODS GRAY: But that's not the
 04 area that I'm concerned about.
         COMMISSIONER MEMBRENO: (Inaudible).
 06
         DON LEVY: So which area are we referring to?
 07
         COMMISSIONER WOODS GRAY: I'm concerned to the
 08 area that's to the left, right there where Marco
 09 (inaudible).
10
         DON LEVY: The Lincoln Meade -- I mean the --
         COMMISSIONER MEMBRENO: The William Meade.
11
 12
         COMMISSIONER WOODS GRAY: Yes.
 13
         DON LEVY: The William Meade.
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14
         COMMISSIONER MEMBRENO: Correct.
15
         DON LEVY: I personally know the outreach
16 there.
         COMMISSIONER WOODS GRAY: But there are no
17
18 signature collections on the maps that we have.
         DON LEVY: Right. They were afraid to sign
20 because they told us that they have had instances
21 where people were told to be evicted for signing
    documentation. They are in a public housing area
23 and they -- rightly or wrongly, they were afraid to
24 sign anything.
25
              So that's where we were left. But we made
0066
01 several outreach calls there, went door to door and
02 so forth.
03
         COMMISSIONER WOODS GRAY: Approximately how
04 many people did you actually talk to who were
05 interested in neighborhood council?
         DON LEVY: About 15, 20. The -- you know, the
06
07 -- the consensus of those people was yes, we would
08 like to participate but no, we can't sign anything.
09 And we understood that. We understood their
10 position.
         COMMISSIONER WOODS GRAY: But now you do have
11
12 approximately 57 letters from people in that area?
13
         DON LEVY: The 57 I was referring to are the 57
14 --
15
         COMMISSIONER WOODS GRAY: Oh, that was from the
16 brewery?
         DON LEVY: -- from the business district.
17
18
         COMMISSIONER WOODS GRAY: Oh, no. I was mostly
19 concerned about the other area because that area,
20 according to the maps I have, represents a high
21 Latino, African-American community, and those are
22 the communities that we also want to empower.
23
              Just as I stated for the north area that
24 we just approved, it's very important to empower
25 people who seem as if they have no power. And these
0067
01 are two groups of people that I consistently worry
02 about.
03
              I'm concerned about their involvement in
04 neighborhood councils, and there just seems to be no
05 evidence there and it's very difficult for me to
06 believe that people who are not empowered in any
07
    way, and especially just the representation in the
08 -- that community, someone wouldn't have signed.
         ROMERO: Mr. President.
         MICHAEL GAGAN: I -- if you're interested, I
10
11 understand we do have a person who has property in
12 that area in attendance.
         COMMISSIONER WOODS GRAY: No, I'm actually
13
14 interested in the tenants. Because if that's a
15 tenant area where people live, that's what I'm
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16 interested in. Who are the people in the community?
         MICHAEL GAGAN: Well, if you could --
17
         COMMISSIONER STONE: I'd like to ask the
18
19 audience to please refrain from a demonstration.
         COMMISSIONER WOODS GRAY: If there are any
2.0
21 neighbors from that, tenants who live in that
22 community, whatever that community is there, I mean,
    I would certainly like to hear from them.
         MICHAEL GAGAN: Certainly. Our outreach
25 efforts, as specified in our application, are
0068
01
   intended to be as aggressive as -- we -- obviously,
02 we have the five locations where our meetings are
03 posted. But quite beyond that, we have -- we -- we
04 understand that we have some logistical realities
05 about Downtown that represent challenges to us from
06 an outreach standpoint. And the area you mentioned
07 probably is the best example of that.
         COMMISSIONER WOODS GRAY: Oh, you raised a good
0.8
09 question. Did any of them sign -- attend your
10 meetings and sign your sign-in sheets?
         MICHAEL GAGAN: We had people from William --
12 William Meade?
         COMMISSIONER WOODS GRAY: Yes.
13
14
         MICHAEL GAGAN: Yes, we did, uh-huh.
15
         COMMISSIONER WOODS GRAY: Okay.
16
         COMMISSIONER STONE: I'd like to recognize
17 Commissioner Membreno for, I believe, some
18 clarification.
         COMMISSIONER MEMBRENO: In that area, obviously
19
20 the William Meade is -- there's significant numbers
21 in that area. But not only do they have significant
22 numbers of the housigs and development, but there's
23 also significant numbers of folks out in those -- in
24 that particular area.
25
              But since you mention that there was a
0069
01 challenge for you in some areas to outreach, can I
02 ask you why did your boundaries not stop at the
03 freeway, and do they extend because you had an
04 interest in going in the overlapping area?
05
         MICHAEL GAGAN: Let me defer to our boundaries
06 people.
07
         UNIDENTIFIED DLANC SPEAKER: You know, as we
08 mentioned at the outset, boundaries were not our --
    our first focus. When we held our stakeholder
10 meetings we asked people that were interested in
11 forming a downtown neighborhood council, without
12 putting lines on maps, to attend meetings.
13
              And we did get a number of property owners
14 and some residents in that area attending meetings,
15 as we did from -- as we mentioned earlier, from the
    brewery. And so that area was really
17 self-selected. Outreach was done subsequent to our
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18 original meeting where we had over 300 people, and
 19 then we -- we worked with that.
 20
              But as Michael mentioned, it's a large
 21 area. There's -- there's a variety of residential
 22 projects. There's many businesses. There's
    literally 5,000 businesses within my own business
 24 improvement district, not to mention the 550
 25 property owners, the 45,000 residents.
0070
 01
              We may -- we may not have got every person
 02 out to a meeting, but we certainly did use our best
 03 efforts and we'll continue to use our best efforts
 04 to bring whoever wants to have a voice at our
 05 council, to give them that voice.
         COMMISSIONER MEMBRENO: Can -- can I ask a
 07 question from staff? I don't know who rep- -- who's
 08 the person for that area, but was there any outreach
 09 from the department done, from DONE --
         ROMERO: DONE?
10
 11
         COMMISSIONER MEMBRENO: -- in that area to let
 12 folks know about neighborhood councils at any
 13 point? Were there any general meetings where
14 information was given out in that area?
         ROMERO: In terms -- okay. I'm going to defer
15
16 -- two different things. I'm going to defer to
17 Marco on the most recent past.
         COMMISSIONER MEMBRENO: Okay.
 18
 19
         MARCO PEREZ: Michael Perez, project
 20 coordinator for DONE.
              You're referring to the area east -- west
2.1
 22 of the L.A. River, correct?
 23
         COMMISSIONER MEMBRENO: Correct.
         MARCO PEREZ: Whether there was outreach from
 25 DONE conducted there. Yes, there has been
0071
 01 outreach. Information has been disseminated within
 02 that area. And also, members from the William Meade
 03 Homes public housing community have been contacted,
 04 including management folks for the housing authority
 05 of the city of Los Angeles.
 06
              Of course, several other members like the
 07 business community has also been contacted along
 08 Main Street, which primarily houses most of the
 09 businesses in that area, as well as the residential
10 area.
 11
              However, the other areas which are a
 12 little bit further in towards the middle, it's
13 primarily like the public facilities like the Twin
    Towers, the county jail which is housed in there.
 15 Around that area there isn't too much business other
    than, you know, bail bonds. And that's about it,
17 bail bond agencies. That's about it.
 18
         COMMISSIONER MEMBRENO: Thank you.
 19
         COMMISSIONER STONE: If we don't have any
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20 further questions from the commission, I'd like to
21 thank the applicant for their presentation and we'd
22 like to call up now the Lincoln Heights Neighborhood
23 Council for their presentation.
24
         MICHAEL GAGAN: Thank you very much.
25
         COMMISSIONER STONE: And if we can keep that
0072
01 to 10 minutes as possible -- as close to 10 minutes
    as possible, we would appreciate it.
03
         OSCAR GARCIA: It's okay? Is it okay to dim
04
    the lights a little bit just to -- because we have a
05 Power Point presentation, or is it a --
         COMMISSIONER STONE: Why don't you go ahead and
07 start. We'll have staff -- there we go.
8 0
         OSCAR GARCIA: Okay. First of all, I want to
09 thank Mr. President, commissioners and also the DONE
10 representatives, of course Mr. Nelson's office, on
11 doing an exceptional job of helping us get prepared
12 for this event and also for our outreach that we've
13 been doing.
14
              We want to commend Marco Perez and also
15 Betty Oyama for -- for helping us get ourselves
    together, organized, and improve our outreach
17
    capabilities.
18
              We want to welcome you all. This is
19 Lincoln Heights Neighborhood Council. I would just
   like all the Lincoln Heights Neighborhood Council
20
21 representatives, if they would just please stand.
22
              I'd like to thank all of you for taking
23 your time out today for -- for spending the evening
    with us. Hopefully it doesn't turn too much into
25
    the evening. We'll try to speed it along pretty
0073
01 quick.
              Lincoln Heights Neighborhood Council
0.2
03 certification presentation: Neighborhood. Friendly
04 relations as of neighbors, neighborliness, the state
05 of or quality of being neighbors. These are some of
    the characteristics of Lincoln Heights.
07
              Our history of Lincoln Heights: As you
08 can see, Lincoln Heights has many ingenuitive ways
    to market. We have beautiful Victorian homes. We
10 have one of the oldest chamber of commerces and, of
   course, we're bounded by the beautiful Los Angeles
12 River.
13
              Lincoln Heights is also home to the first
14 zoo in Los Angeles, as you can see by the picture.
15 We also had the first alligator farm. In fact, the
```

little boy right above the alligator is Mr. Manly.
Mr. Manly was five years old at the time, a little
bit scared but of course there are bands around the
Alligator's mouth, and he sent this picture in to
Us. And he is also one of our neighborhood council
representatives.

```
22
              Lincoln Heights, back in the turn of the
23 Century, it started back in 1873 when it was
24 subdivided with 200 residents taking place, living
25 there. And part of our tourist attractions were of
0074
01 course the Indian Village, the Legion Ascott
02 Speedway, and of course the Lincoln Park
03 rollerskating rink.
04
              We have one of the most beautiful views,
05 as we have our Los Angeles River, we are surrounded
   also by mountains or hills, and we have 360 degrees
    views of the entire area. This is just one half of
0.8
   them.
09
              We're also home to the beautiful
10 Los Angeles Times Boys Club, one of the original
11
   fixtures in Lincoln Heights. We also have one of
12 the oldest high schools, Abraham Lincoln High
13 School. That was the original high school built on
14 top of the hill, and you're looking at North
15 Broadway and Lincoln Park Avenue there.
16
              Other historical facts: Lincoln Heights
17 was known to have the first movies -- movie studio,
18 Sellick Studio. It was also the home of Laurel and
19 Hardy in their early days. Lincoln Heights Engine
20 Company Number One and of course the Lincoln Heights
21 chamber of commerce, which is one of the oldest
22 established chamber of commerces.
23
              And how did we come to be? 15 community
24 members, diverse community members, got together on
25 January 15th, 2001, at Lincoln Heights public
0075
01 library basement for the purpose to empower our
02 community.
03
              Our Mission: Our mission, to organize
04 stakeholders in Lincoln Heights and empower them to
05 bring about change in our community, to grapple with
   issues that are critical to our neighborhood, and to
07 give our community members a strong voice in city
08 government.
09
              What has the neighborhood council done so
10 far? We established beautification and cleanup
    campaigns. We have held neighborhood Christmas tree
12 lightings, which never have took place before. We
13 authorized through our target neighborhood
14 initiative dollars for home improvement grants.
15
              We had an Easter egg hunt with over 600
16 children, and we have community information booths
17 at our sidewalk sales and at all our public events.
18
              Our boundaries -- these are our proposed
19 boundaries that we submitted with our seven
20 subareas. You can see those are the different
21 subareas that we have divided Lincoln Heights into
22 to ensure direct representation.
23
              Our rationale for proposed boundaries are
```

24 historical, geographic, political, and 25 governmental. 0076 01 The historical justification: The 02 community of Lincoln Heights has been in existence for over 129 years. Lincoln Heights has had 04 consistent boundaries from 1873 to the present. And 05 it was also the first suburb of Los Angeles. 06 As you can see by this map, East --07 Lincoln Heights was also known as East Los Angeles, 08 the first East Los Angeles area, and you can see 09 already the first -- by 1873 the railroad was coming 10 through, we're still bounded by the Los Angeles 11 River. Once again, 1888, still bounded by the Los 12 Angeles River. 1894, same Los Angeles River. But 13 it seems to continue expanding. As we continue to 14 grow, we became our population of 32,134. 15 And I'm going to turn the rest of this 16 presentation of our geographical boundaries to Mike 17 Diaz. 18 MICHAEL DIAZ: Thank you, Oscar. 19 My name is Michael Diaz, resident of 20 Lincoln Heights and the founder of the Lincoln 21 Heights Neighborhood Preservation Association. 22 When we established our neighborhood 23 council boundaries we kept in mind to be compact and contiguous. The western boundary, of course, as you 25 see, we used the Los Angeles River. And we 0077 01 continued all the way north, heading up the river 02 where it gets to the Pasadena Freeway and the Arroyo 03 Seco River. 04 We went up to Avenue 35, and we cross all 05 the way over and we head into the Rose Hills area, 06 come down Mercury. It kind of loops around there. 07 There's a strange little loop there. But we go down Soto, getting all the way down to Marengo. We head 09 back up, and then we get back to Cesar Chavez and 10 the -- and the river. 11 And that essentially is our -- our 12 neighborhood, what we're considering our Lincoln 13 Heights Neighborhood Council area. 14 The political geographical rationale: 15 police department, fire department, the school 16 district, council district, and the Northeast 17 planning departments. This area shows what -- the 18 area that is covered by the Hollenbeck police station. 20 Just that general area there, that Central 21 area that you're looking at is the entire Lincoln 22 Heights neighborhood. It also includes, if you go 23 up to the -- where it says "basic car," kind of 24 right there, that's the Montecito Heights. If you 25 go over to the right, that 4-A-9, is that what that

0078 01 is, we're heading down into El Sereno. Down in the 02 lower bottom part you're in the Boyle Heights area. But if you go -- bring your arrow back 04 there a little bit the further up, higher up, right 05 around there, that -- according to I think the map, 06 that must be the river, and so if we go a little bit to the right you're heading into that whole disputed 07 area with the Downtown Neighborhood Council. 09 We're now into the fire department area, 10 and I'm -- we're showing you only the lower half the 11 boundaries. The fire department also services all 12 of Lincoln Heights, most of that area that you just saw. And again, the fire department services that 14 disputed area with Downtown. The brewery complex is 15 in that general vicinity. 16 The LAUSD: Lincoln Heights is in the 17 family of schools which is called District F, 18 Subject -- yes. And -- the next one. All of the schools that are in this Lincoln family of schools 20 are the ones that you see listed there, and it 21 includes Albian, which is across -- sort of across 22 the street from the brewery area. Anyone -- any child attending -- or living in the brewery would 24 belong to the Lincoln family of schools. 25 Ann Street school, the second one, if you 0079 01 just (inaudible), also belongs to the Lincoln family 02 of schools. And that's in the William Meade Housing 03 homes. 04 This next map, the next map then again 05 also shows what all of District One, the Council 06 District One includes, most of -- well, all of 07 Lincoln Heights, actually, plus other communities. The proposed extended boundaries are going to be for 09 District One to also include the brewery. 10 The Planning Department map, the Northeast 11 plan -- of which I was a member, by the way, of the 12 community plan. I was on the CPAC -- includes all 13 of these zip codes. And the brewery is in the 90031 14 zip code. 15 The generalized land use. Tell me, what 16 was I going to do with this map? I forget. 17 UNIDENTIFIED SPEAKER: (Inaudible). MICHAEL DIAZ: This is the -- from the 18 community plan? Yeah, right. And the Northeast 19 20 community plan. 21 We had various boundary issues, and those 22 are all of the issues that were resolved or shared 23 with all the other neighborhood councils, from the 24 Arroyo Seco down to the Historic Cultural. The only 25 one that we did not reach any conclusion with is the 0800 01 Downtown Neighborhood Council.

02 And shared boundaries: Some of the shared 03 boundaries there, you see the two green spots. We 04 have Hazard Park and Lincoln Park. We're going to share those public space, those public parks with the greater valley. We're also sharing the County 07 USC Medical Center. 8 0 And up on the upper part -- and those 09 negotiate -- we just had negotiations last night with the Arroyo Seco Neighborhood Council, and we're 11 -- Oscar would know more specifics about the areas 12 that we're sharing with them, public spaces. 13 The disputed boundary, of course, is on 14 the -- on the extreme left is the river, and so what 15 happened is the -- the Downtown Neighborhood Council jumped across the river on Main Street going all the 17 way to Daly, down to Daly, back down to Mission, 18 they loop back around to Cesar Chavez and back up, 19 claiming of course, claiming that that's part of 20 downtown. 21 And we claim that it's -- following all 22 the historical and all the facts that I just gave 23 you, that that's Lincoln Heights and not Downtown. COMMISSIONER STONE: Thank you. 2.4 RAY KOVORUBIUS: Hi. Name is Ray Koranubius, 25 0081 01 and we have a family business in the area of Lincoln Heights. I'm here to talk about the 9demographics 03 of the neighborhood. The following summaries are approximate 05 figures taken from the U.S. 2000 census tracts and 06 blocks. 07 Businesses. The total number of 08 businesses in Lincoln Heights in 482. Total number of employees is 10,374. As you can see by the chart 10 there, we are made up mainly of small businesses. The population of Lincoln Heights has a 11 12 total of 32,134 people. Total households in the areas is 8,291. Total families in the area 6,668, 13 14 leaving that we are made up of 75 percent renters 15 and 25 percent homeowners in the area. 16 The age structure in the community is --17 the majority of the population is 19 and under. 18 we have a -- we're made up of a young -- young group in -- in the community of Lincoln Heights. 20 The household income shows the majority is 21 15,000 to 34,000 dollars in the community. The 22 ethnicity in the community shows that we are 23 basically a Latino population, and right behind us is the Asian population. 25 This map shows the concentration of the 0082 01 Latino population, with the dark red being a real 02 gathering of Latino populations in the area. The 03 blue shows a concentration of the Asian population,

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04 with the darkest blue being the heaviest
05 concentration of people.
06
              The diverse makeup of Lincoln Heights
07 Neighborhood Council steering committee goes as 20
08 Latinos, nine whites, five Asians, two
09 African-Americans, two Greeks, and one Armenian.
10 These are the affiliations of the steering committee
11 members. As you can see, we have quite a few.
12
              These are our outreach fliers. We made
13 English and Spanish, bilingual, and I'll be showing
14 you other samples of fliers that we outreach. And
15 this is our trilingual flier that we outreached with
16 the Asians.
17
              And that's our outreach. Thank you.
18
         CICILY YBARRA: Okay. And we sponsored a few
19
    community events that we also consider outreach.
20 And my name is Cicily Ybarra. Thanks.
21
              I'm going to talk for a couple minutes
22 about the community events we sponsored, including
    the Christmas tree lighting in December -- I think
24 we discussed it -- and different businesses hosted
25 -- helped us host it and Santa was there and he gave
0083
01 us presents.
02
              And -- and we also recently had an Easter
03 egg hunt at Lincoln Park, and about 600 kids
04 attended. And the Easter bunny was there and they
05 got pictures. And all these events happen, but we
06 also had just information sharing about being part
07 of the neighborhood council and we were pretty clear
    about saying that we helped put on the events and if
09 people are interested that they could get
10 information about us.
              And also, we collected signatures to
11
12 support the Metro Gold Line, formerly called the
13 Blue Line, for it to include a stop in Lincoln
14 Heights because there was consideration about it not
15 stopping in the neighborhood.
16
              And we also have monthly neighborhood
17 cleanups with different people from the community,
18 including the high school student volunteers. You
19 quys see yourselves?
20
              And also, there's a quarterly sidewalk
21 sale in Lincoln Heights where just different
22 businesses set up booths, and we had a booth there
23 where people could stop by and find out about
24 becoming involved with the council.
25
              And also, outside churches and outside
0084
01 various, just community centers, we have set up
02 information outreach, setting up bilingual fliers
03 and just answering people's questions inviting them
04 to come to meetings.
05
              And we've had bimonthly, twice a month
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```
06 steering committee meetings, which is basically just
   our meetings, and we've been having them since
07
08 January 15th, 2001, with an average of attendance,
   it says if they're about 30 people. And we've had
10 two town hall meetings with people coming, just
11 invited in -- in general, just being invited to
12 share their opinions.
13
              And we also have gotten verbal and some
14 letters of support from community-based
15 organizations. We kind of divide them up into
16 categories for you to look at more easily. These're
17 more business-oriented, like the chamber of
18 commerce. These are rec centers like parks, and
19 these are churches and youth groups and also schools
20 related to those youth groups, and these are LAUSD
    schools in the areas, and other organizations that
22 didn't really have an easy categorization.
23
              And with our original application in
24 January we submitted 353 signatures from just
    throughout the Lincoln Heights area. That includes
0085
01 14 from within the overlapping area and greater
02 Valley Boulevard that we share, and also 66
    signatures from the brewery complex. That was in
04 January of this year.
05
              And out of those signatures, that's the
06 ethnic breakdown. You can see it pretty closely
07 mirrors the demographic breakdown of Lincoln Heights
08 in general.
09
              And Meg right now is going to talk about
10 the bylaws. Thank you.
11
         COMMISSIONER STONE: And to be fair to the
12 previous group, if we can try to wrap things up in a
13 few minutes, that'd be great.
```

MEG BARCLAY: All right. Hi. My name is Meg

14

15 Barclay. I'm going to be talking to you about our 16 bylaws.

17 Our proposed board structure will -- our 18 board will be come comprised of 25 stakeholder 19 members with -- as stakeholders are defined in our -- in our bylaws. We will have two representatives 21 from each of our seven subareas -- one of those 22 representatives must be a resident -- for a total of 23 14 subareas representatives.

2.4 There will be three representatives from 25 the business population, business community in our 0086

01 neighborhood, three representatives from

- 02 neighborhood community-based organizations, for lack
- 03 of a better term, organizations that are involved in
- 04 other activities in Lincoln Heights not classified
- 05 as business, and one representative from the Lincoln
- 06 Heights youth population since we do have such a
- 07 large youth contingency. There will also be four

```
08 executive officers: A president, vice-president,
09 and secretary and treasurer.
10
              Our election process will start with
11 outreach. We hope to do a widespread outreach
   informing people that neighborhood council has been
13 certified in their area and then we'll be accepting
14 nominations. And once a nomination slate has been
15 determined, people will be notified of that and the
    election date and time and place.
17
              At the election we hope to have a
18 third-party oversight. Stakeholders will
19 self-identify themselves as stakeholders in the
20 neighborhood according to our bylaws. We will have
21 the election. People will -- or nominees will get
22 two minutes to talk about their -- why they should
23 be elected, and then we'll have the election, votes
24 will be tallied, the community will be notified of
25 the results, and officers will be installed.
0087
01
              George can tell you, he's going to talk
02 about financial accountability.
         GEORGE PANTEZ: My name is George Pantez. I'm
04 the treasurer, and my speech will be as long as the
05 money we got in our checking account. So this is --
06 this is in front of you. If there's any questions,
07 you can ask us.
              And for the saving of time, I think I'm
0.8
09 done. I think that's one more. Go to the next
10 one. We have also set up a system for the dispersal
11 of funds so it will be blameproof, and we're using
    general GAP accounting principles, and we'll have
13 fund accounts which are general to accounting
14 principles.
              Any more questions, I'll be available for
15
16 them. Thank you.
17
         ALICE CORONA: Good afternoon, already.
18 name is Alice Corona and I am here to speak about
19 future events.
20
              One of our future events that we are
21 planning to do is -- okay. On newspaper ads, we are
22 creating a hotline. Again we will be doing the
    Christmas tree, being so successful last year,
24 having about 300 kids that were able to take
25 pictures with Santa, taking them home with them. We
0088
01 provided them with a meal, hot cocoa.
                                           Some of our
02 carolers were there to sing from the local schools,
03 et cetera.
0.4
              We will continue to do our neighborhood
05 cleanups. We had launched it last year by Mayor
06 Hahn's help, and the Lincoln Heights community has
    continued to do it on a monthly basis and we've been
07
08 very successful.
09
              We are creating a street carnival
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10 hopefully this summer. Of course, all of you guys
11 will be invited. We have the farmer's market. We
12 will also have the community fair, the parade, and
13 the health fair.
14
              We have -- future projects will continue.
15 We will have town hall meetings. We will continue
16 with the community design overlay, community block
17 policy. The beautification project will continue.
18
              One of our biggest events right now is
19 Mother's Day. We have asked all the local schools
20 to participate in an essay that the children will be
21 providing to us, and we will be having the first
22 Mother's Day brunch in Lincoln Heights.
                                            We will
23 award the Mother of the Year. We will be covered in
24 three TV stations, and everyone is welcome to come.
25
              We will also be creating the Cinco de Mayo
0089
01 festival and the Chinese New Year.
              One thing that I forgot to mention as far
0.2
03 as the events that we have created from the
04 neighborhood council is that all of this has been
05 completely free to all of our community members.
06
              Thank you.
         OSCAR GARCIA: That concludes our
07
08 presentation.
         COMMISSIONER STONE: Thank you very much.
10 Maybe we can get the lights back on, staff.
11 you.
12
              And I'll ask my fellow commissioners if we
13 have any questions right now for the applicant.
14
         COMMISSIONER STONE: Commissioner Woods Gray.
15
         COMMISSIONER WOODS GRAY: Someone said that --
16 let me see -- 33 -- oh, something about the board of
17 directors that looked contrary to the -- oh, in the
18 bylaws that I have it said 25 -- 33 members would be
19 elected to the board of directors. Someone said 25?
20
         OSCAR GARCIA: Yes, it's 25. We amended the
21 bylaws.
22
         COMMISSIONER WOODS GRAY: So bylaws are -- you
23 amended it? You changed it recently?
         OSCAR GARCIA: We amended the bylaws to -- to
25 reflect the 25.
0090
         COMMISSIONER WOODS GRAY: Okay. I just got
01
02 these last night very late but --
03
         OSCAR GARCIA: Okay. I don't -- I don't know
04 what paper you have, but we show 25.
         COMMISSIONER WOODS GRAY: It says 425 -- oh, am
   I in the wrong place? Is this -- this is Historic,
07
    right? This is Lincoln Heights. I'm in the
08 wrong --
09
              Excuse me. I'm in the wrong bylaws.
10
         OSCAR GARCIA: Okay.
11
         COMMISSIONER MEMBRENO: We have three sets of
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12 bylaws in front of us, so --
13
         OSCAR GARCIA: That's okay. We understand.
14
         COMMISSIONER WOODS GRAY: I apologize.
15 received mine by accident at nine o'clock last
16 night, which was almost my bedtime.
17
              I have -- I don't have any other
18 questions.
         COMMISSIONER STONE: Commissioner Membreno?
19
20
         COMMISSIONER MEMBRENO: I'm sorry, just
21 briefly, can you comment on the representation of
22 the 19-and-under population, how is -- how they are
23 going to be represented in your governing board?
         OSCAR GARCIA: Well, they will actually have a
25 voice. They will be an actual stakeholder, a member
0091
01 of the board, that youth representative voted at
02 large for that youth, as long as they were over 14
03 years and over, and they would have a voting right.
         COMMISSIONER MEMBRENO: Okay. And the
05 representation of businesses, I take it, is pretty
06 large in your -- the -- just in terms of the
07 participation in the neighborhood council, just
08 based on the information that you gave in your
09 presentation, it seems like you have a number of
10 business.
11
              Do you have any idea how many businesses
12 have been supporting the neighborhood council, your
13 neighborhood council?
         OSCAR GARCIA: Well, it's -- again, in taking a
15 look at the chamber of commerce, of course we have
16 the strong support of the businesses. I wouldn't
17 say the majority of our membership are the
18 stakeholders, the steering committee, were the
19 majority.
              Actually, we try to break it down
2.0
21 specifically by allowing in each of the seven
22 districts to have one resident, be -- to actually be
    on a board member, and then the other member as for
24 the two individual districts to have -- to be either
25 a CBO or a business representative or a resident.
0092
01 So depending on how that little district is divided
02 up.
03
         COMMISSIONER MEMBRENO: Thank you.
         OSCAR GARCIA: You know, we wanted -- we wanted
0.4
05 to make a quick comment -- do you guys want to talk
06 about this issue?
07
         UNIDENTIFIED SPEAKER: No. Let me clarify
08 that, yes.
09
         OSCAR GARCIA: Okay.
10
         UNIDENTIFIED SPEAKER: I think maybe if I could
11 expand on your question. It seems that the majority
    of the businesses that are in the Lincoln Heights
13 have -- well, we've made outreach to them and they
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14 are certainly supporting the Lincoln Heights
15 Neighborhood Council, including the businesses along
16 Main Street, the winery, Gibbs Electric, which is an
   important business there. And we have a letter, a
18 very strong letter from Gibbs Electric supporting
19 participation in this neighborhood council.
20
              So I would say that overall, 90, if not a
21 hundred percent of the businesses within Lincoln
    Heights, are participating, have indicated they want
23 to participate in the Lincoln Heights Neighborhood
24 Council.
25
         COMMISSIONER MEMBRENO: Okay. And I believe
0093
01 that there was a question earlier in the Downtown
02 presentation regarding the two representatives from
    that -- from the contested area. And then
04 (inaudible) --
05
         OSCAR GARCIA: That would --
06
         COMMISSIONER MEMBRENO: -- certified by you, by
07 your --
8 0
         OSCAR GARCIA: Well, that was -- that was a
09 quick question that we had. We were under -- when
    we met this morning and they asked us about
10
    supporting that, initially it seemed something very
11
12 positive for us.
13
              However, there was no clarification to
14 what those stakeholders were. We thought that they
15 were just turning over the brewery to us, that was a
16 clarification that we had, and they would just have
    their -- how they would assign the representatives,
    et cetera, was -- was something that we weren't --
19
   that they weren't too clear on.
20
              Getting a little more clarification now,
21 it becomes a little interesting in the sense that we
22 have to sort of work that out. But from this point
   on, we feel that the stakeholders there in the
    brewery would have a voice in the Lincoln Heights
25 Neighborhood Council, and we would be concerned if
0094
01 we were going to take away some of that -- some of
02 those voices there.
03
              And Mike would like to talk some more
04 about that.
05
         MICHAEL DIAZ: And I'll elaborate also.
              We had a -- well, first of all, we had
06
07 about five to seven meetings in trying to resolve
08 this issue with the Downtown Neighborhood Council,
09 and each time we would end up with those two people
10 from the brewery who were wanting to have the
11 complex there.
12
              But at one of the meetings this proposal
13 was made to us. And we took it back to our group
    and the group voted -- the Lincoln Heights group
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15 voted that this was not acceptable, that we did not

16 want to have two representatives of the brewery sitting on the Downtown Neighborhood Council. 17 18 So there is nothing in writing at this 19 point to say that we agreed to that as the gentleman who was up here earlier said had been. 20 COMMISSIONER MEMBRENO: Thank you. 22 COMMISSIONER WOODS GRAY: I had a concern about -- I think I heard you say that Ann Street school is 2.3 a part of the Lincoln family of schools, but the students from William Meade attend -- go to the Ann 0095 01 Street? OSCAR GARCIA: They go to Ann Street Elementary 03 School. In fact, we did significant outreach in 04 that area. And we were thinking that -- we were 05 approached by DONE or led to believe by DONE that it 06 might be an orphan area, so we went out there and we 07 actually outreached. We held a community meeting. In fact, when I went door to door there 0.8 09 they told me there was no other outreach there. 10 I also went to the housing authority, and we were supposed to have a few of their representatives here 12 to testify on that. 13 We -- we came at a -- we had a meeting at 14 the Ann Street Elementary School with parents and 15 youth, and we -- in fact, in two weeks we're going 16 back because there's a severe crises going on in the 17 William Meade homes. There's a lack of parking and 18 everybody is being ticketed, including the teachers. 19 So they are very, very hungry for support. 20 Naturally, since most of the students also 21 take off and go to our middle school, Nightingale 22 Middle School, and they also attend our high school, it seems like a good fit for us to work out something with William Meade in that -- in that 25 area. 0096 In fact, we had made arrangements with the 0.1 02 Historical Cultural Neighborhood Council that we 03 would go up to Vignes, and -- and incorporate the 04 William Meade in our boundaries. That is something that we would still like to do. We'd like to 06 incorporate that area as part of Lincoln Heights. 07 Because of the outreach and since I -- I 08 -- seems like there has been no other outreach there, we'd like to take on those people as they're 10 desiring a strong voice and we think we can fill 11 that. COMMISSIONER STONE: So just to -- just to 12 13 clarify on that point then, you're talking about the 14 area west of the river but northeast of Vignes? OSCAR GARCIA: Correct. We would stay on the 15 16 Main -- Main Street side. Historical Cultural had 17 agreed to be north of Main Street. We would be

```
18 south of Main Street so that we can Incorporate the
 19 William Meade housing units.
 20
              And we would take them all the way up to
 21 Vignes, including the jails, and then just go all
 22 the way down, back to Cesar Chavez and back up to --
 23 to our river area.
         COMMISSIONER WOODS GRAY: Marco, hate to keep
 25 having you redraw the maps, but can you just kind of
0097
 01 put that in for us, please? It just becomes
 02 clearer.
         MARCO PEREZ: The area that was just mentioned
 03
 04 follows Main Street to Vignes Street, then it comes
 05 around to Cesar Chavez, back to the L.A. River.
         UNIDENTIFIED SPEAKER: So that excludes Union
 07 Station.
 8 0
         MARCO PEREZ: Excuse me?
 09
         COMMISSIONER WOODS GRAY: What is that part
10 that's left out of that area?
         MARCO PEREZ: Well, this area is part of the
 12 Historical Cultural Neighborhood Council --
              -- Cesar Chavez to the L.A. River. It
14 comes back up.
         COMMISSIONER MEMBRENO: That excludes the jail?
15
16
         MARCO PEREZ: No, it would include the jail.
17
         COMMISSIONER MEMBRENO: It would include the
 18 jail?
 19
         MARCO PEREZ: And -- and the jail, I believe,
 20 houses about 4,000 people, at -- approximately.
         COMMISSIONER MEMBRENO: Stakeholders? Okay.
 2.1
 22
         MARCO PEREZ: Yes, they are.
 23
         ROMERO: They're in the (inaudible).
         OSCAR GARCIA: When we did the demographics in
 25 that area we also noticed that the Latino
0098
 01 concentration, of course included the jail, but it
02 heavily in --
         UNIDENTIFIED SPEAKER: (Inaudible) tell the
03
 04 truth.
 05
         OSCAR GARCIA: I didn't mean of course.
 06 apologize. It also included the William Meade
    homes, which is heavily Latino. And -- and it met
 08 the same type of demographics as Lincoln Heights.
              In fact, if we would take on the William
10 Meade homes we would be at -- our population count
11
    would be up 42,000, our Hispanic -- Hispanic
12 population would be at about 68 percent, Asian would
13 decrease to 18 percent. And our -- our
 14 demographics, the black representation would
15 increase to five percent.
         COMMISSIONER STONE: I'd like to thank the
17 applicants very much for their presentation, and we
 18 don't have any more questions right now as a
19 commission, reserving always the right to ask
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20 questions.
         MR. MARTINEZ: Darren Martinez, deputy city
22 attorney. Just one -- some advice both to the
23 commission as well as the department.
              I noticed in the report that it was
25 mentioning some type of shared area with the Greater
0099
01 Valley Neighborhood Council.
02
         COMMISSIONER STONE: Yes.
         MR. MARTINEZ: My understanding is this hasn't
03
04 been certified, correct, greater Valley is not
05 certified.
         COMMISSIONER STONE: No.
07
         MR. MARTINEZ: So what I would recommend or
08 advise the commission is to obtain the applicant's
09 consent to amend or deem their bylaws reflected that
10 their boundaries really just outline the area that
11 they have. There's not a shared boundary issue at
12 this point in time until we're presented with the
13 Greater Valley Neighborhood Council.
14
         COMMISSIONER STONE: Does that include the --
15 does that include --
16
         COMMISSIONER STONE: What we're sharing is
17 public space. Is that still --
18
         MR. MARTINEZ: It will come up -- it will come
19 up when the next applicant presents its and
20 application because that's when it's --
21
         COMMISSIONER STONE: I got it.
22
         MR. MARTINEZ: -- it becomes the issue of
23 shared. You don't have sharing until there's
24 someone else wanting it.
25
         OSCAR GARCIA: I got you. Okay. Thank you.
0100
01
         COMMISSIONER WOODS GRAY: All right.
02
         COMMISSIONER STONE: Thank you very much.
03
              And -- and last but certainly not least,
04 we will call up the Historic Cultural Neighborhood
05 Council for their presentation.
06
         UNIDENTIFIED SPEAKER: So you got this thing
07 loaded up and ready to go?
         UNIDENTIFIED SPEAKER: No, I need it when it
09 comes time for me. Okay?
10
              (Inaudible)
11
         UNIDENTIFIED SPEAKER: Taking a break?
         UNIDENTIFIED SPEAKER: Are they?
12
13
         UNIDENTIFIED SPEAKER: You ready? Almost?
14 We'll need about a minute till he loads up that
15 disk. He'd loading up a disk for us.
         COMMISSIONER STONE: We're not in recess,
16
17 we're just waiting for the --
18
         UNIDENTIFIED SPEAKER: Sorry.
         COMMISSIONER STONE: -- presentation to be
19
20 loaded. So as soon as that's loaded we're going to
21 proceed.
```

UNIDENTIFIED SPEAKER: And I think we're about 22 23 readv. 24 COMMISSIONER STONE: You ready? 25 UNIDENTIFIED SPEAKER: Right? 0101 01 COMMISSIONER STONE: Okay. If everyone can 02 please hold down their conversations or take them 03 outside, I'd like to proceed with the Historical 04 Cultural Neighborhood Council's presentation. 05 KIM BENJAMIN: Hi. I'm Kim Benjamin. I'm a 06 member of the Chinatown Business Improvement 07 District, a property owner in Chinatown, as well as the Little Tokyo area. 09 And I'm here to introduce the Historic and 10 Cultural Neighborhood Council's presentation for 11 this afternoon and then turn it over to my esteemed 12 colleagues. And I want to give you just a sense, a 13 flavor of why we decided to form as a group, as a 14 family basically. 15 And then I think what we're going to is 16 after I gave you the introduction, I think we're 17 going to try to accommodate the time restrictions 18 today and we're not going to speak about or speak 19 specifically to the uncontested areas even though 20 they're in our presentation. 21 I think we're going to allot all of our 22 time, the 10 or 15 minutes that you'd like us to 23 limit ourselves to, to the areas that have been contested where there have been accommodations made 25 by ourselves and those other parties filing for 0102 01 those same basic geographic areas. COMMISSIONER STONE: Thank you. We appreciate 0.2 03 that. KIM BENJAMIN: And so effectively speaking, if 05 you could just turn the next page and I'll just 06 speak as we go. The Historic and Cultural Neighborhood 07 08 Council basically has designed itself around what it 09 believes to be a singular -- a singular position 10 here in Los Angeles both in the history of L.A. as 11 well as currently. 12 Each of the colored areas of the map you 13 see above you represent one of the six members of 14 our family. Starting with the purple at the bottom, 15 which is the artist district, which is one of the 16 contested areas, which has been accommodated both by 17 us see and by the Downtown Neighborhood Council to 18 be a shared boundaries. Although physically within 19 the parameters of Downtown, they will have voting 20 rights on our board. 21 The other five areas, Little Tokyo, the 22 El Pueblo, the Chinatown, and the Forgotten Edge and 23 Solano Canyons, and we'll specifically be speaking

24 effectively to the green and the purple today for 25 all intents and purposes. 0103 01 But to give you a sense of the shape, if 02 you'd turn to the next slide, one of the things we were looking at is why are we forming together. 04 of the things that controls housing development, commercial development, is a plan, a city plan. And 05 we have a North Central city plan, which is the 07 center. 8 0 And effectively, if you look at the right, 09 you look back at the middle and the left, you'll effectively see some Similarity in the physical 11 design plate of the area we've defined to be the 12 Historic Cultural Neighborhood Council. 13 And if you turn to the next sheet, one of 14 the most compelling reasons is, although you see in 15 Lincoln Heights 1873 and 1888 maps as the first 16 suburb, they had to be a suburb to what was the 17 first city. The first city was Los Angeles, and 18 this is the first city map. And if you look at this map -- and it may 20 be a little difficult to see with this resolution --21 but you would see closely that we are the only --22 the only neighborhood council filing in the city of 23 Los Angeles that can make this statement, as bold as it is: We were together at the beginning, we're 25 together now, and we intend to be together 0104 01 prospectively. 02 We are the only neighborhood council that 03 falls under the purview of the first city map of 04 Los Angeles. So historically, that denominator is the driving reason for us to come together. We want to stay together, and that's what we've registered 07 for in our application. 8 0 If you would turn the next one. The 09 boundaries you've seen on the map. Our mission statement we'll get to in a minute. Some of the 10 11 demographics I'd like to speak to simply. 12 And it's hard -- previously you've seen 13 lots of maps. One way to look at our community is 14 that in Los Angeles the median price of homes today is \$300,000. Remarkable number. Yet 88 percent of 16 our residents can't afford a home. They rent. 17 88 percent of our residents rent because 18 approximately 74 percent of our people earn less than \$35,000 a year, can't afford a \$300,000 home 20 even if they were available. You don't earn the 21 money. And that's because 67 percent of our people 22 are under 49 years of age and, effectively speaking, 23 over half of us work in one, two, three, or

four-person firms. We're entrepreneurial. We are

25 small family businesses. We're not mostly rich

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0105
01 folks living in nice homes. We're basically a small
02 community looking for a voice.
              And I have specifically looked at the age
04 structure. I've looked at the ethnicity. One of
05 the other reasons, culturally speaking, historic and
06 culturally, culturally if you look at our group, 65
07 percent of the people living in the Historic
    Cultural Neighborhood Council are Asian, the same
09 way Lincoln Heights with some 72 percent, I think
10 was the number, just reverse that notion.
              So in the middle of Little Tokyo and
11
12 Chinatown, the El Pueblo, the heart and -- you know,
13 of the Pueblo, the beginning of the city, you
14 basically look at our community, it's Asian-defined
15
    for the most part, okay, and it's under 50 years old
16 earning less than 35,000, 88 percent renters.
17
              And so we're a community that's basically
18 looking for a voice for the people that live here,
    work here in small businesses that have come here to
20 help build the railroads and create the original
21 Zanha Madre.
22
              And as you know, water sort of is the
23 source of all life, and I'll leave you with this
24 other notion. In our community, which is the only
25 community that could say that we started in the
0106
01 first map and are together today and are the only
02 community filing, we also were the largest French
03 community in the United States, save New Orleans.
04
              And Italians came here in this community.
05 In fact, the history of the Department of Water and
06 Power was started by two gentlemen who are on two
    streets that bound our community, Vignes and
08 Beaudry. These two guys in 1871 sold what was
09 created to be the water rights of Los Angeles, the
10 system, for what today would be worth $2.3 billion.
11 Two Frenchmen created the system that we drink our
12 water out of.
13
              This community is historically unified,
14 the oldest of its kind. It's culturally defined to
15 be a melting pot. And we're going to speak
16 specifically today about our outreach to the two
17 areas that have been contested.
18
              And Brian Keto, if you would come up,
19 please, and start your presentation, I'd appreciate
20 it.
21
         BRIAN KETO: Hello. My name is Brian Keto. I
22 own Fugetso Confectionery. It's in Little Tokyo.
    It's -- next year will be our hundred year
    anniversary. We're the oldest business in Little
25
    Tokyo.
0107
01
              At this time I want to ask the Little
```

```
02 Tokyo representatives to please stand to show how --
03 how much support we have here. These people mostly
04 were residents and business owners.
05
              Do you want to go into it?
06
              Okay. Next. Historical Cultural
07 profiles? Next. Okay.
8 0
              Since 1900 to 1941, Little Tokyo is the
09 home of most Japanese Americans in the mainland USA,
    U.S. World War II there were mass removals of
   Japanese Americans which actually closed down Little
11
12 Tokyo. It was restarted in the late forties, and in
13
   the fifties Parker Center took one quarter of Little
    Tokyo and evicted over 1,000 residents and
15 businesses.
16
              In the 1960 redevelopment -- right? I'm
17 sorry. Redevelopment means more evictions, enter
   larger businesses into Little Tokyo.
18
19
              Today Little Tokyo still continues to be
20 the community center for a 132,000 Japanese
    Americans in the L.A. County. Little Tokyo's
22 historic district, as you see in the photo, is a
23 nationally historic landmark now.
              The boundaries of Little Tokyo are Temple
2.4
25 Street to the north, Los Angeles Street to the west.
0108
01 Our disputed area is Fourth Street to the south, and
02 Vignes street to the east.
03
              Next. Over 1200 people live in Little
04 Tokyo today. Housing ranges from SROs and low
   income apartments to market rate condominiums. The
06 majority of residents are low income, elderly, and
07 Japanese speaking.
              Next. There are currently between four
0.8
09 and five hundred businesses forming the cultural
10 center of the Japanese-related enterprises. Most
11 are small family-run shops with a core -- well,
12 actually, my store being a hundred years old, so you
13
    can see what the history is.
14
              The economic decline of Little Tokyo has
15 been as a result of the 1992 (inaudible), the
16 downtown -- downturn in the Japanese economy, and 38
17 percent drop in our tourism.
              Most residents are low income, elderly,
18
19 with -- with limited English skills. And there is a
20 growing number of working middle class residents.
21
              Mixture of history, mom and pop shop
22 enterprises, but since redevelopment the makeup is
    larger businesses, mom and pop businesses,
    international corporations, and many professionals.
25
              Challenges and opportunities of Little
0109
01 Tokyo. The HCNC shares challenges. Tourists
02 dependent ethnic enclave, lack of political clout,
03 shared opportunities and needs, economic
```

04 revitalization, political empowerment, historic and 05 cultural preservation. 06 The major community institutions in Little 07 Tokyo are the Japanese American cultural and 8 0 community center, Japanese American national museum, Little Tokyo service center, Buddhists temples, and 10 Christian churches. I want to take this moment just to address 11 12 the -- I am like a three-hatted stakeholder here. 13 I'm a business owner, resident, and I also am the 14 president of the Little Tokyo Public Safety 15 Association. I want to cover this, is that the disputed 16 17 boundaries that we have on Fourth Street are real 18 important to our security in Little Tokyo. 19 For the last eight to nine years we have 20 actually been cleaning those -- those areas between Third and Fourth Street that are being disputed. My 22 public safety association has a volunteer patrol that goes out and has actually helped to clean up 24 those areas of the drug dealers. You have to understand that also, too, is 2.5 0110 01 on the boundary of Third Street and both -- on both 02 sides of that street are churches, hot meal programs 03 for the elderly. There's an elderly housing unit 04 and four different churches that are lined on both 05 sides of Third Street. As a business owner I have two stores. 07 One lies on the south side of Third Street in what we call is Little Tokyo mall. So that store is 09 there. And -- and the anchor store in that store is 10 a Japanese supermarket, along with other major 11 Japanese businesses that are -- that are included in 12 there. 13 As a resident of Little Tokyo, we shop at 14 this store which is on the other side of the 15 disputed boundary. We frequent the restaurants 16 there also, and the professionals, that most of the 17 professionals located in Little Tokyo are in a 18 professional building located in the disputed area. 19 I go -- my doctor is in the professional 20 building on the corner of San Pedro and Third. My wife goes there for her doctor. And also, too, it's included in the census block 2062 in which I'll --22 23 actually takes it all the way up to Fifth Street. So my urge here is that we keep the 2.4 25 boundary back at Fourth Street. And the reason that 0111 01 I feel that the Downtown really needs to come up to 02 Third Street, if you look at their BID boundaries 03 right now, it ends at Fourth Street. 04 I see that the BID is actually just eating

05 up extra property, and basically most of the

```
06 outreach that they have done is property owners,
    specifically, to try to get into this BID district.
 07
 08 But it's clearly -- the blocks between Third and
 09 Fourth Street are a great part of Little Tokyo.
              Thank you. Now I'll introduce Evelyn and
 10
 11 she'll give you the outreach.
12
         EVELYN YOSHIMURA: My name's Evelyn Yoshimura,
13 and through the Little Tokyo Residents Association
    we've been doing quite a bit of outreach.
 15
              This -- these numbers that I'm going to
 16 share with you are in addition to the 277 signatures
    that were in the original application. So since
 17
 18 February 8th we've collected an additional 200
19 actual signatures and presented to another
 20 approximately hundred people. So it's about 577,
 21
    you know, individuals who have heard about and
 22 learned about the HCNC, the Historical Cultural
 23 Neighborhood Council.
              The majority of these people are
2.4
 25 residents, and we worked through the tenant councils
0112
 01 of the five main buildings in Little Tokyo as well
 02 as the residents association itself which has
 03 representatives from all these different buildings.
 04
              In addition, we've given monthly updates
 05 the last actually couple years. But at the Little
 06 Tokyo Community Council which was mentioned earlier,
 07 it's sort of the body that everyone in Little Tokyo
 08 comes to the table at and it represents about 54
 09 different organizations which are businesses, social
 10
    service, arts, and historical organizations, as well
 11 as residents.
 12
              We have done some limited outreach as well
 13 in the Little Tokyo mall, Little Tokyo plaza that
 14 Brian just mentioned, formerly known as the Yao Han
15 Plaza, some door-to-door -- store-to-store, rather,
16 outreach there as well, and have gathered
 17 signatures.
 18
              Next I'd like to introduce Joe Blume from
 19 the artist district.
         JOE BLUME: Hi. My name is Joel Blume.
 2.0
 21 a business in the arts district. I live in what
 22 people are calling Alameda East. I'm past president
 23 of LARABA and I also sit on Little Tokyo Community
 24 Council.
 25
              From its genesis the arts district has
0113
 01 been entwined with Little Tokyo and Chinatown.
    the late seventies artists and galleries in search
 03 of large, inexpensive space started moving into old
 04 outmoded warehouse and factory buildings east of
 05 downtown. At the same time, the punk underground
    resonated from Ellis Bar in the arts district to
 07 Madam Wongs in Chinatown and the Atama Cafe in
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08 Little Tokyo. 09 Today the ties are even stronger. The 10 artistic energy that beget the art districts has 11 scintillated Chinatown with Chung King Road Studios and galleries, augmenting arts district, Olvera 13 Street, and Little Tokyo galleries. 14 The Southern California Institute of 15 Architecture and Cornerstone Theater now anchor the arts district. The Central City North community plan, which once promoted industrial use, now 17 encourages artists and residents use in the arts 19 district. 2.0 A lot of our outreach was in the way of 21 bringing people from the arts district to our LARABA 22 meeting so they can hear from both the Downtown Los Angeles Neighborhood Council and the Historic 24 Cultural Neighborhood Council. 25 People were -- were advised of these 0114 01 meetings via the L.A. dad website, through fliers, 02 through phone calls, and through mailings done to 03 people who have participated in neighborhood 04 cleanups, neighborhood tree plantings, neighborhood 05 watch, people who have promoted open (inaudible) 06 tours, benefits and street fairs in the arts. And 07 the arts district included people living in the 08 Santa Fe art colony, Father David Dornier who is the 09 pastor of Mary and Old Mission, Art Share L.A., 10 Cornerstone Theater. And to wrap it up, since Lieutenant Ord's 11 12 original city plan, orchards have become warehouses 13 and railyards, warehouses have become artist lofts, 14 and rail depos, architectural colleges. 15 As the city and the arts district continue 16 to evolve, our neighborhood will be attracted by --17 pardon me -- effected by and contributing to the new 18 Central City North community plan. We need to 19 concentrate on that plan with our HCNC neighbors and 20 not on the planning near Staple Center, Grand, or 21 South Park. We will continue to thrive as Off 22 Broadway to downtown's Broadway. 23 I'd like to introduce Alicia Brown from 24 Solano Canyon. 25 ALICIA BROWN: Hello. I'm Alicia Brown from 0115 01 the Solano Canyon, and I'm very sorry that I have to 02 be the last one, but I hope you understand I do have to go back and tell those folks in Solano that I did speak before the commission because that's what I 05 told them I was going to do. In fact, there is a 06 lady here who is from the Solano community. There are no conflicts as far as our 07 08 community is concerned in joining the HCNC. We have 09 our own little presentation that was just flipped

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10 over. This is the old school site that you're
11 seeing right now. I don't know if anybody is going
12 to man that or not.
13
              I'm a little bit perturbed about this
14 whole thing 'cause I really thought -- you know, we
15 had planned for a long time, but in the interest of
16 time I'll just step back and give the time to
17 others. The Solano canyon would be pleased to join
18 the HCNC.
19
              If you have any questions?
20
         KIM BENJAMIN: In summary, effectively, by
21 historical definition being the first to file, to
22 say that we are together from 1849, beginning of a
23 culturally defined nature, two-thirds of our
24 population being Asian in nature, and basically we
25 see ourselves as a group, as a family from the
0116
01 beginning. We'd like to have you certify per your
02 recommendations the HCNC, and we're open to any
03 questions you may have.
         COMMISSIONER STONE: Any questions?
05 (Inaudible) no questions for you.
06
         KIM BENJAMIN: No questions?
07
         COMMISSIONER STONE: I have actually one -- one
08 quick question on the boundary of your -- I guess
09 the southern boundary then would be Fourth Street?
10 Is that the -- that's the request? Or what is -- I
11 guess we have -- we have so many maps flying around
12 here and compromises and --
         KIM BENJAMIN: I think that can best be spoken
13
14 to by Mr. Keto, but effectively the filing we made
15 was Fourth Street (inaudible) some effort to
16 accommodate. There's been some discussion of
17 extraction of several church locations and bringing
18 them into the Little Tokyo area.
19
              But the efforts probably are best spoken
20 to by the community that was most effected within
21 our HCNC, so Brian, if you would, please.
22
         BRIAN KETO: Yes. What we did was we had a --
23 the Little Tokyo Community Council voted
24 unanimously, the executive board, two weeks ago, to
25 hold that boundary up at Fourth Street.
0117
01
              Since last week we did have a meeting with
02 the Downtown group with a DONE representative, and
    at that meeting we could not come up to a
04 compromise. There was some talk about bringing just
05 the two churches which are on the other side of
06 Third Street to try to get them into ours alone by
07 themselves.
8 0
              But the truth of the matter is the
09 executive board voted unanimously to try to put it
10 back to Fourth Street because there are a number of
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11 buildings that have Japanese-owned businesses inside

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12 of them on both -- on the other side of Third,
13 between Third and Fourth.
14
              There are also others, little Japanese
15 businesses like, you know, a sign shop and a body
    shop. Those are also located between those two
   blocks -- I mean those two streets, Third and
18 Fourth. So it is a dispute.
              We would like to go along with the
19
20 original proposal and not go with the recommendation
21 that was put into the packet.
22
              Is there something else I can answer?
23 are -- but to clarify, you know, Little Tokyo is
    totally in support of the HCNC with the two
25 representatives of Little Tokyo going into the
0118
01 Downtown and two of the artists lofts coming into
02 the HCNC. And we're in full support of that.
03
         COMMISSIONER STONE: Commissioner Membreno.
         COMMISSIONER MEMBRENO: So the artist piece
05 has been resolved, and your neighborhood council --
06 or your steering committee and your members are okay
07 with just having representatives in that area?
08
         BRIAN KETO: Correct. With the HCNC. The only
09 thing that we're up is the boundaries, is that a
10 dispute.
11
         COMMISSIONER MEMBRENO: Okay. And --
12
         BRIAN KETO: On -- I'm sorry.
13
         COMMISSIONER MEMBRENO: The representation
14 would be chosen by the Historical or --
15
         BRIAN KETO: The representatives, from my
16 understanding, would be chosen by the Little Tokyo
17 Community Council --
18
         COMMISSIONER MEMBRENO: Okay.
19
         BRIAN KETO: -- of two representatives.
20 Because as Little Tokyo, they'll be having the two
21 votes representing into the Downtown.
22
         COMMISSIONER MEMBRENO: Into the Downtown.
23
         BRIAN KETO: Correct.
         COMMISSIONER MEMBRENO: Okay.
24
2.5
         BRIAN KETO: And the artist lofts, in turn,
0119
01 will have two.
02
              One of the other things I wanted to add is
03 that we have a business improvement district
04 proposal that's been at City Hall for roughly about
    four years now. And in that proposal it calls for
06 the boundaries to go down Fourth Street. It's still
07 on file.
8 0
              And the Central City East BID is also
09 looking to renew next year, and so that's why this
10 -- I believe that is why this -- these blocks are
11 being in question. So it's basically a BID
    territorial-type thing to move that block out of
13 little Tokyo.
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14
              But if you look at the buildings and
15 businesses that are on the other side, on the south
16 side of Third, they're predominantly Japanese-owned
17 businesses. And the mall is called Little Tokyo
18 Square. I mean, as far as it being considered
19 Little Tokyo, it definitely is.
20
         COMMISSIONER MEMBRENO: So you're -- I'm
21 sorry. The boundaries that -- that you're talking
    about would be Los Angeles Street to Fourth.
23
         COMMISSIONER STONE: If it's indicated on
24 that --
25
         ROMERO: No.
0120
01
         BRIAN KETO: It goes down San Pedro Street.
02
         COMMISSIONER MEMBRENO: Okay.
03
         BRIAN KETO: It comes -- it comes south on San
04 Pedro, down Boyd, and south on Omar, and then down
05 to Fourth Street, and it goes down Fourth Street
06 down to Alameda.
07
         COMMISSIONER STONE: And just so we're
08 completely clear, that's different than that map
09 that's -- that was the -- that map is the compromise
10 that was discussed before. Okay. This is the
11 original application.
12
              I'm sure that's very clear for the record,
13 right?
         LISA SAGHENO: My name is Lisa Sagheno.
14
15 could add something to that.
              As you can see, it doesn't get cut down at
17 L.A. It's almost like a trade that's happened here,
   like some kind of, you know, baseball trading
19 players or something. So there are things that are
20 on both sides, as you see where it cuts down San
21 Pedro.
              But our stand was that the businesses that
23 are there, the Little Tokyo professional building,
    the Little Tokyo mall, Zenshugi Buddhist church, you
25 know, the Japanese Sentinery United Methodist
0121
01 Church, all of these businesses that are there are
02 clearly there. It's not coincidence that they're
    there. They are there because it's Little Tokyo.
03
              And we already feel that in a compromise
05 we've had to give up huge portions that have
06 historically been Little Tokyo east of Alameda. You
07 have things like the Hompa Hong Hon Gee Buddhist
08 temple that's there on First Street east of
09 Alameda. It's almost like the Vatican City giving
10 up, you know, Saint Peters. I mean, that is the --
11 the head mother Buddhist church for the largest
12 Buddhist congregations of churches throughout the
13 L.A. area. Things like that. I mean, the Maryknoll
14 School's from like the thirties or something.
15 That's the Japanese Maryknoll.
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16
              So we've already been picked apart and cut
17 up, and it's -- it's hard for us. I mean, we've
18 been meeting and building community and all this for
19 all of these hundreds of years, you know, and now --
   I mean, it is somewhat of a Japanese culture to try
21 to compromise and have consensus, but I mean, I do
22 feel we've -- we've been under attack and we've
23 given up so much in these meetings that to ask us to
    give up the piece that's south of Third and east of
25 San Pedro is just -- it doesn't make any sense at
0122
01 this point.
              I mean, every community gets to that point
0.2
03 where they're pushed and says, "That's it. No
04 more. We can't give up anything else." And then
05 we're there.
06
         COMMISSIONER STONE: But then with regard to
07 the area east of Alameda that has been --
         LISA SAGHENO: That's part of the compromise.
0.8
09
         COMMISSIONER STONE: -- part of the compromise
10 and that your neighborhood -- your proposed
11 neighborhood council is still comfortable with those
12 boundaries?
         LISA SAGHENO: I wouldn't call it comfortable,
13
14 but you know, we just want to move on with this
15 process already. And we feel like we have other
16 ties that are organic ties anyway that have always
17 existed with that neighborhood that we can work
18 together on joint projects and whatnot like we
19 always have been all this time.
20
         COMMISSIONER STONE: Okay. Thanks.
21
         COMMISSIONER WOODS GRAY: In that same section,
22 are there other historical places or ties to that
23 community that I might need to know about?
         LISA SAGHENO: East of Alameda or south?
2.4
25
         COMMISSIONER WOODS GRAY: (Inaudible) the art
0123
01 district?
02
         LISA SAGHENO: Uh-huh, east of Alameda.
03
         COMMISSIONER WOODS GRAY: In that little
04 section?
         LISA SAGHENO: Yeah, there's Zenshugi.
06
         COMMISSIONER WOODS GRAY: From the "F" line
07 down.
         LISA SAGHENO: There's Zenshugi Buddhist
0.8
    temple, the Fakuye Mortuary is there, the Mishi Hong
10 Yun Gee Buddhist temple. There's -- I mean, it goes
11 on and on, Maryknoll --
         COMMISSIONER WOODS GRAY: What about below the
12
13 orange line or in that section down in there, down,
14 all the way down there.
         COMMISSIONER STONE: But that orange line isn't
15
16 the compromise.
17
         COMMISSIONER WOODS GRAY: South (inaudible).
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18
         COMMISSIONER STONE: It's up at the 101.
 19
         COMMISSIONER WOODS GRAY: Where is the art
 20 district? That's the part we're talking about.
         LISA SAGHENO: Right.
 22
         COMMISSIONER WOODS GRAY: Any Japanese --
 23
         LISA SAGHENO: Oh, sure.
 2.4
         COMMISSIONER WOODS GRAY: (Inaudible) in
 25 there?
0124
 01
         LISA SAGHENO: There's dozens and dozens
 02 because --
         COMMISSIONER WOODS GRAY: You are talking about
 03
 04 -- okay, that's what I was try -- I thought it was
 05 just that little triangle (inaudible).
         LISA SAGHENO: Oh, no. That whole area from
 07 the --
 08
         COMMISSIONER WOODS GRAY: Okay.
 09
         LISA SAGHENO: -- the L.A. River all the way to
 10 Alameda has historically been Little Tokyo.
 11 given that Little Tokyo is over a hundred years old,
 12 there are tons of developments there. Plus, when
13 redevelopment was happening in the seventies and
14 buildings were being torn down by the city, there
15 are institutions that were -- their buildings were
16 torn down and they were forced to -- to go somewhere
17 else, and that was some other open area.
18
              So there are major Japanese religious
 19 institutions, the Japanese Evangelical -- it's
 20 called JEMS, they're the head of the Japanese
21 Evangelical ministry, they're there. You probably
 22 drive by, you see there's the -- the Bonsai Nursery,
 23 there's a car place. There's -- there's dozens and
 24 dozens.
         COMMISSIONER WOODS GRAY: I see.
 25
0125
01
         LISA SAGHENO: Yeah, the Hiroshima building.
 02 There's a senior housing project that's out there,
03 Chugo Koiya, so --
 04
         COMMISSIONER MEMBRENO: Very quickly, the area
 05 between the freeway and First Street, has that also
 06 been historically believed to be Little Tokyo, part
 07
    of Little Tokyo?
         LISA SAGHENO: That's where the Hompa Hong Yun
 09 Gee Buddhist temple, Fakuye Mortuary, those
10 businesses are.
 11
         COMMISSIONER STONE: Any questions? Any more
12 questions?
13
              Okay. We don't have any more questions at
 14 this time, so thank the applicant for your
15 presentation.
16
              What we -- what we are now going to do is
17 proceed to public comment on agenda item number 3.
 18 After public comment we will then go back to each
19 applicant for a brief rebuttal.
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20
              But I do have in my hand the public
21 comments. I think I've counted about 90 of these.
22 In the interest of time and our overriding interest
23 in maintaining a quorum, we can only act if we have
24 four members here.
25
              And we would urge everyone that does not
0126
01 need to speak, if they feel like their point has
    been covered, to please feel free to give up their
03 time. And also, those who decide to speak, to
04 please keep it short. If it's echoing someone's
   comments, please make that known and then move on.
06 We would sure appreciate it. And we have our staff
07 keeping an eagle eye on the watch to keep us going.
              So I now would like to call up -- and
09 we're going in alphabetical order as well. Our
10 first speaker is Suzy Abagian, followed by Richard
11 Ancrom and Frank Ayala.
              So if the folks that are next in line
12
13 could come up here, too, that would help.
         SUZY ABAGIAN: I'm sorry. I had signed up for
15 two things. I don't know if this is for Lincoln
16 Heights or --
         COMMISSIONER STONE: What we're doing is going
17
18 alphabetically. We're not --
19
         SUZY ABAGIAN: Okay.
20
         COMMISSIONER STONE:
                             -- breaking it up as for
21 or against. So, please, if you can cover --
22
         SUZY ABAGIAN: Sure.
         COMMISSIONER STONE: -- everything you want to
2.3
24 say in this -- in this time.
25
         SUZY ABAGIAN: Okay. My name is Suzy Abagian,
0127
01 and I am a resident of Lincoln Heights. I also
02 teach at the high school. I'm -- I'm really
03 involved in the community.
04
              And I just wanted to actually address one
05 of the questions that you asked about youth outreach
06 and how are we going to incorporate the youth into
07 our neighborhood council.
08
              And me being part of the high school or
09 teaching at the high school, I have contact with the
10 kids and have actually talked to the kids about what
    the neighborhood council is about. And two of my
12 kids are actually here, two of my students are here
13
    to support this, to support me.
14
              So we have been doing outreach to the
15 youth and they are -- we're hoping for them to be a
16 more active member of the neighborhood council.
17 They've also volunteered for the neighborhood
18 cleanups, a lot of students from the high school.
              So I guess that's it. I just want to say
19
20 that I support the Lincoln Heights Neighborhood
21 Council and I support the boundaries that have been
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22 suggested and I also -- I'm also concerned about the
 23 William Meade housing project.
 24
              I actually went to those meetings and
 25 tried to connect with the people there to just, you
0128
 01 know, have LAUSD connection and also a Lincoln
 02 Heights neighborhood connection with them.
 03
              So thank you.
 04
         COMMISSIONER STONE: Thank you. Richard
 05 Ancrom. Going once, going twice.
              Frank Ayala. Gabriella Ayala.
 07
              (Inaudible)
 8 0
         COMMISSIONER WOODS GRAY: I think they better
09 come back in.
10
              (Inaudible).
11
         COMMISSIONER STONE: If everyone can bear with
 12 us, please. Through -- and if -- if someone is left
 13 out and wishes to speak at the end, they can do so.
              So Richard Ancrom. Frank Ayala. Is Frank
 15 here?
16
         FRANK AYALA: I'm right here.
17
         COMMISSIONER STONE: Okay, Frank.
18
         FRANK AYALA: I would like to surrender my
19 time.
 20
         COMMISSIONER STONE: Can you come to -- to the
 21 microphone?
         FRANK AYALA: Sure.
 23
         COMMISSIONER STONE: Thank you.
24
         FRANK AYALA: Yeah, I'd like to just surrender
25 my time. What's said is what the Lincoln Heights
0129
 01 Neighborhood Council has been said already.
         COMMISSIONER STONE: Thank you very much.
02
03
         FRANK AYALA: Okay.
         COMMISSIONER STONE: Gabriella Ayala.
 05 Stephanie Ayala. Atriko Bobba, followed by Meg
 06 Barclay, and then Dan Beyer.
 07
         ATSKO BOBA: My name is Atsko Bobba. I live
 08 seven years in Little Tokyo, Japanese town. In
09 Japanese.
10
              (In Japanese)
 11
         THE INTERPRETER: On behalf of Little Tokyo
 12 residents, I would like to express our interest to
13 join the Historic Cultural Neighborhood Council.
         ATSKO BOBA: (In Japanese).
14
15
         THE INTERPRETER: The main reason for this
16 interest is because similar -- similar to places
17 like Chinatown and Olvera Street, Little Tokyo is a
 18 historic town, and we would like to combine the
 19 strength of all the communities to work toward a
 20 common goal.
21
         ATSKO BOBA: (In Japanese).
 22
         THE INTERPRETER: While working toward historic
 23 and cultural preservation, building on the
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24 commonalities we have with places like Chinatown and
25 Olvera Street is our mission as Little Tokyo
0130
01 residents. So our goal can be achieved, I ask you
    to consider the request of Little Tokyo residents
   for Little Tokyo to be part of the Historic Cultural
04 Neighborhood Council. Thank you.
05
         ATSKO BOBA: Thank you.
06
         COMMISSIONER STONE: And for the translator,
07 can you please state your name for the record?
8 0
         THE INTERPRETER: My name is Takau Suzuki.
09
         COMMISSIONER STONE: Thank you.
10
         MARCO PEREZ: I'm with the Little Tokyo
11 Resident's Association.
         COMMISSIONER STONE: Thank you. So Meg Barcly
13
   -- Barclay, followed by Dan Beyer.
14
         MEG BARCLAY: Hi. I've been working with the
15 Lincoln Heights Neighborhood Council for about a
16 year, so I'm here to -- maybe a little more than
          I'm here to request that you approve our
18 petition for certification as a neighborhood council
19 with our boundaries as requested.
              Also, we are prepared to -- to expand our
2.0
21 boundaries to include the William Meade homes and
22 that lower triangle on the other side of the L.A.
23 River because of our demographic similarities to the
24 people in that area. We've done outreach to them
25 and have heard that they are looking for
0131
01 representation, that they identify with Lincoln
02 Heights, they do their shopping and things like that
03 there. So we would like to see that included.
04
              I'm also -- would like to just request
05 that the Central City East group be allowed to
06 organize themselves as a neighborhood council.
07
         COMMISSIONER STONE: Thank you. I'm going to
08 accommodate James Gibbons because he needs to leave,
09 with the assumption that he's going to be very
10 brief.
11
         JAMES GIBBONS: Yes, I will. Thank you.
12
              My name is James Gibbons. I'm a resident
    of the Central City East community, sometimes called
14 Skid Row. I've been living there for about seven
15 years. I'm also active in a community organization
16 known as the Los Angeles Community Action Network.
17
              As a resident of the community and being
18 active in many issues that that neighborhood is
19 concerned with, I found that it's -- it's very
20 difficult for our community to -- to get together
21 collectively around many issues, although we've
22 lately found a groundswell of support for this --
23 for this issue.
24
              It was -- it was an issue that had
25 previously been slowed due to -- in large part due
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0132 01 to lack of resources, we've -- we've since breathed 02 some new energy into the project. And many of the residents of the Skid Row 04 community feel that this is a very important issue 05 for them and they believe that the Skid Row 06 community needs to be separately addressed and -and separately represented, and they don't feel that 07 they will be adequately represented on the larger 09 Downtown Neighborhood Council. 10 As a former resident of Lincoln Heights, I just want to make a plug for them, I also agree with 11 12 Lincoln Heights' position for many of the same 13 reasons: They need to be separately represented. 14 I think -- also one point I want to make 15 is one of my previous speakers, Orlando Ward, spoke 16 about the Los Angeles Central Providers 17 collaborative, who as a group endorsed the larger 18 Downtown Neighborhood Council, I think it's important that although that is true, I think it's 20 important to note that there were dissensions on 21 that collaborative. 22 The Volunteers of America, the Los Angeles 23 Community Action Network, and the Salvation Army also support creation of a Skid Row neighborhood 25 council. 0133 01 I think also the inclusion of all of these 02 communities that the larger Downtown Neighborhood 03 Council proposes, I think you could apply -- I think maybe they missed an opportunity -- should have 05 always included New York City. You could apply the 06 same rationale to it. 07 I just want to conclude with that. Thank 08 you. 09 COMMISSIONER STONE: Thank you. Dan Beyer, 10 followed by Joe Blume and Barbara Jeanne Bowman. DAN BEYER: Yes, I'm a resident and -- of the 11 12 Skid Row -- the Skid Row neighborhood. I am 13 involved in a church in the neighborhood, although I 14 do not speak on behalf of the church. The church 15 has not taken a stand on this issue itself. 16 I was the person who was the specifically 17 designated contact person for the Skid Row 18 neighborhood council with DONE and with the other 19 neighborhood councils for several months before I 20 had to give up the position because of a job 21 change. 22 During that time, amongst other things I 23 attended the boundary dispute resolution meetings 24 that DONE was -- was holding, and I would also like 25 to say that I am very appreciative of the tremendous 0134 01 cooperation and support from Betty Oyama and

02 everyone else on the DONE staff that has given to the Skid Row neighborhood as we were -- have been 04 attempting to develop our own neighborhood council. 05 At the boundary resolution meetings, we 06 initially had a boundary dispute with the Historical Cultural neighborhood and we were able to resolve that rather easily to the zigzag boundary on the north that has been mentioned a couple times in the 10 meeting already. 11 At no time was I able to enter into any 12 kind of dialogue with the downtown neighborhood 13 council as to boundary resolutions. The general attitude which was -- which I received from the 15 boundary committee in particular was, "Who do you think you are in Skid Row to be even thinking about 17 having your own neighborhood council?" 18 I -- that does not reflect adequately the 19 total representation of the people involved with 20 Downtown. I worked on their issues committee and there were a number of people on that committee who 22 were very concerned, very supportive of the needs of 23 the Skid Row neighborhood. And at one point in that process they were ready to make a recommendation to the larger Downtown Neighborhood Council that Skid 0135 01 Row be removed from their boundary consideration. 02 It's not just a matter of our people 03 concerned about what is going on in the Skid Row 04 neighborhood, but the issues -- the magnitude of the 05 issues in Skid Row are so large that the concern is that they are going to get swallowed up and 07 dissolved into nothingness in the midst of a larger

08 Downtown Neighborhood Council.

Thank you.

COMMISSIONER STONE: Thank you. 10 Joel Blume, 11 Barbara Jeanne Bowman, and Kathryn Breem.

JOEL BLUME: Yeah, hi. My name is Joel Blume. 13 I'd just like to state for the record that the 14 LARABA vote about how the arts district went, the 15 vote of the actual people who have attended meetings 16 and heard both presentations from both neighborhood 17 councils went with the Historic Cultural 18 Neighborhood Council.

19 I would very much like to advocate the 20 compromise that was between our two councils giving the arts district falling within the downtown 22 boundaries but giving us a say in the Historic 23 Cultural Neighborhood Council, mostly because we're on the same plan with -- with the Historic Cultural 25 Neighborhood Council.

0136

09

01 We've had in the past the precedence where 02 the plan basically saved our neighborhood from L.A. 03 Unified trying to put warehouses whereas the plan

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04 calls, you know, for us and residents. So I realize
    it's odd but, you know, we're -- we're as much tied
06 as Little Tokyo is as to which council to belong
   to. There's no clear-cut one way or the other.
              And that's all I have to say. Thank you.
0.8
09
         COMMISSIONER STONE: Thank you. Barbara Jeanne
10 Bowman, Catherine Breem, and Mike Brewer.
         BARBARA JEANNE BOWMAN: Hello. My name is
11
12 Barbara "BJ" Bowman, and I'm actually a resident of
13 Lincoln Heights as well as the project (inaudible)
14 coordinator for the Los Angeles Boys and Girls Club
15 in Lincoln Heights.
16
              And I just want to share with the council
17 or the commission that we're -- actually our club is
18 opening a new site in the William Meade projects.
19 We're actually going to have a Boys and Girls Club
20 site at William Meade.
21
              As well, I wanted to share that in being
22 here today and listening to the different folks
23 present, that I think it would be in the best
24 interest to -- and fair for the Central City East
25 folks to have their issues heard and to have
0137
01 representation adequately given to them.
02
              Thanks.
03
         COMMISSIONER STONE: Kathryn Breem, Mike
04 Brewer, and Thomas Burrows.
         BARBARA JEANNE BOWMAN: Hi. I'm Kathryn Breem,
06 a 17-year resident of the arts district,
07 vice-president of the Los Angeles River Artists and
    Business Association, and that's the LARABA
09 acronym. I'm an artist. For the last 12 months
10 I've been working with the boundaries committee in
11 the Downtown Neighborhood Council.
12
              The arts district had its beginning over
13 26 years ago, and I won't go into that because Joel
14 did a really good job of covering the history of the
15 arts district. We did overwhelmingly vote to go
16 with Downtown but we're very connected to Little
17 Tokyo. And we know that. And that was one of the
18 hardest decisions for all of us to make.
19
              So we just want to say that the arts
20 district does support the compromise that has been
21 worked out.
22
              So thank you.
         COMMISSIONER STONE: Thank you. Mike Brewer,
24 Thomas Burrows, and Eugenia Butler. And while
25 Mr. Brewer is coming up --
0138
01
         THOMAS BURROWS: I'm Tom Burrows.
         COMMISSIONER STONE: Mr. Burrows, I've been
03 passed a note that someone has lost a blue Nokia
04 cell phone and if someone finds it or has found it,
05 please get it to some DONE staff. That would be
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```
06 great. Thanks.
07
              Mr. Burrows.
0.8
         THOMAS BURROWS: My name is Tom Burrows. I'm a
09 resident of Downtown. I live at Main and Fourth.
10 I'm here to support the downtown L.A. Neighborhood
11 Council boundaries as they've been proposed by the
12 steering committee with the various compromises that
13 have been worked out.
14
              I'm concerned, however, and I'd ask -- is
15 Romero here -- what map are we using to define the
16 boundaries? Because we've been using this map, but
   I seem to think it was this map that was going to be
17
18 the Historic Cultural Neighborhood Council.
19 think -- which one are we using?
         COMMISSIONER STONE: We will have staff --
21 staff wrap up after.
22
         THOMAS BURROWS: It appeared to me that a lot
23 of line drawing was going on on this map, and that's
24 really the map that we're working with, and I don't
25 know where the commission was with that.
0139
01
         COMMISSIONER STONE: Well, when the commission
02 makes its determination on certifying in boundaries,
    we will have staff outline for the record the
04 correct boundaries.
         THOMAS BURROWS: The issue of the Central City
06 East on neighborhood council, we've been working on
07 this process for almost a year. And we've had a
08 number of outreach efforts down. We have the new
09 downtown group, we've got the old bank district
10 group. Midnight Mission has been working closely
11 with us.
12
              I live on Main and Fourth, and I believe
13 the boundaries include Main Street. I don't
14 remember any outreach the other direction to those
15 of us who live there. And I think changes like this
16 that are proposed at the last minute do not really
17 satisfy notice.
18
              There's like 225 residents in my
19 neighborhood who have been working on this whole
20 idea of a downtown L.A. neighborhood council and all
    of a sudden in the middle of all this is a new
22 neighborhood council which we have not had an
23 opportunity to really comment on.
              And I think these proposals are a little
2.4
25 late and should have been coming in quite a bit
0140
01 sooner. But I support the present boundaries of the
02 downtown L.A. neighborhood council.
         COMMISSIONER STONE: Thank you. Eugenia
04 Butler, and followed by Tony Butler and Arnold
05 Carlson.
06
         EUGENIA BUTLER: Thank you, members of
07 (inaudible). My name is Eugenia Butler. I'm a
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08 university educator, a middle school educator, an
    elementary school educator, an artist for 35 years
10 in Los Angeles.
11
              Within the brewery and the surrounding
12 disputed area, right -- if I may -- (inaudible) this
    entire areas, there's overwhelming support to be
14 part of the Downtown Neighborhood Council.
              With it -- during this last -- the artist
15
16 community in Los Angeles is a very disenfranchised
17 community, historically. Within the last year I
18 have -- I and other members of my community and the
19 brewery have worked very hard to create a
20 neighborhood council that will for the first time
21 give a voice to the arts workers, to the artists of
22 our city.
23
              It's very important to us that if we are
24 to go ahead and essentially go with the council --
25 go with the DONE recommendation, it's very, very
0141
01 important that we keep those two seats in DLANC
02 because it is our vision and our hope and our -- our
03 future as artists that we need to be able to work
04 together. We need to be able to support a united
05 artist voice in Los Angeles.
06
              We have a -- a -- we have a community that
07 is -- that is -- that is unlike any major city in
   the United States, and help us realize that dream
09 both for our community and for our city.
10
              Thank you very much.
         COMMISSIONER STONE: Tony Butler, Arnold
11
12 Carlson, Angelica Cervantes?
13
         ARNOLD CARLSON: My name is Arnold Carlson.
14 I'm one of the founders and partners of the brewery.
15 The other partners are my two sons.
16
              Aside from the brewery and the rest of the
17 thing, I think the entire city here and councils
   like yourself are making a horrendous mistake. I
19
    think you're tearing apart a city and creating a
20 civil war. (Inaudible) and the woman that was here
21 before and spoke up for Japanese village, other
22 people for Chinatown, the Hispanic people for the
    various things they wish to create with the city
24 council maybe, I don't know.
25
              I'm a hundred percent opposed for this
0142
01 board or anybody in this world to change the address
02 on $50 million worth of real estate that I have in
03 Downtown L.A. You don't have no right to change my
04 address and kill my profits and my investment.
              This is an imagination that came alive and
06 we spent the last 22 years working on it. We've
07 done a good job for the city, we've done a good job
08 for others, and we've done a good job for the
09 people.
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10
              As of last Saturday and Sunday we had
 11 15,000 people come to the place. And we've done
 12 nothing but good for this city in both taxation and
    in homes and in turn creating what we did. I think
 14 we're friends with about everybody in this city and
 15 if we're not, I'd like -- I mean friends with
 16 everybody and the artists, for the lofts, and if
    they're not they should come and talk to us and find
17
 18
    out what the problem is. That's the way we deal
 19
    with it.
 20
              For this council or any council to
 21 separate land that we paid choice dollars for,
    including the Edison building that's a national
 23 Monument, number three in America, the Pabst Blue
   Ribbon brewery that was there before time -- I don't
 25 know when it started, some way back 1902, three or
0143
 01 four, something like that, that don't belong to
 02 anybody but where it is, and that's the city of L.A.
 03
              And that's where we are, that's what we
 04 bought, and I suspect I'd have to spend in the
 05 neighborhood of a million dollars to defend the fact
 06 that I am and we are invested in the city of L.A.
              When I write an address, when I get a
 07
 08 postcard, when I get a telephone number, I'm in the
 09 city of L.A. I'm not in the boondocks, I'm not in
 10 the outcast. It's the city of L.A., and that's
 11 where we're going to stay if it takes the rest of my
 12 life.
              I got about two or three years left and
13
 14 that's the End of me and you can deal with my sons
 15 then. I'm 78 years old. I did my time in the
 16 service during World War II. And you're not going
    to take away what I spent my life putting together.
 17
         COMMISSIONER STONE: Thank you. Angelica
 18
19 Cervantes, followed by Sampson -- I believe Char?
 20
         SAMPSON CHANG: Chang.
 21
         COMMISSIONER STONE: Chang. And Matt Chapa.
 22
         ANGELICA CERVANTES: Hi. My name is Angelica
 23 Cervantes, and I am involved with my community, my
 24 school, which is Lincoln High School, and the
 25
    confirmation class at our Lady Help of Christians.
0144
 01
              Some of the stuff that I am involved in in
 02 my community is the teen club at Lincoln Heights
    Recreation Center. At the rec center I am part of a
 04 teen council and I am in charge of our special
 05 events.
 06
              I heard about the neighborhood council
 07 when Oscar Garcia went to my classroom as a visitor
 08 and spoke to us about the neighborhood council and
   things that they are trying to do for our
 10 neighborhood and what we as teens should do to
11 help.
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12
              Thank you.
 13
         COMMISSIONER STONE: Thank you very much.
 14 Sampson Chang, Matt Chapa, and Marie Condrin.
         SAMPSON CHANG: Thank you. Good afternoon,
 16 Mr. President and commissioners. My name is Sampson
 17
    Chang. I'm the president of Lincoln Heights chamber
 18 of commerce. Also, I'm a stakeholder. I have
    combined a law practice adversity business in
 20 Lincoln Heights.
 21
               I'd like to show my support for Lincoln
 22 Heights Neighborhood Council and I'd like to read a
 23 letter of support from the Lincoln Heights chamber
 24 of commerce in the record. And to Whom It May
 25 Concern, dated April 25th, year 2002.
0145
 01
                    "The Lincoln Heights chamber of
 02
         commerce supports the formation of a
 03
         Lincoln Heights Neighborhood Council.
 04
         Chamber members are part of a steering
 05
         committee to form the neighborhood
 06
         council. It appears that a neighborhood
 07
         council will be composed of a very
 80
          inclusive group of stakeholders in Lincoln
 09
         Heights.
 10
                    "We support the boundaries as
 11
         drawn and recommended by DONE. We also
 12
         hope that the brewery on the Main Street
 13
         be part of Lincoln Heights Neighborhood
 14
         Council.
                    "The Lincoln Heights chamber of
 15
 16
         commerce looks forward to working with our
 17
         new partner in Lincoln Heights, the
 18
         Lincoln Heights Neighborhood Council. We
 19
         have" (inaudible) "support the formation
         of a Lincoln Heights Neighborhood
 20
 21
         Council."
 22
               Thank you very much.
 23
         COMMISSIONER STONE: Thank you.
         MARCO PEREZ: Excuse me. Excuse me. Did you
 25 want to submit that? Did you want to submit that as
0146
 01 part of the record or just orally read it into the
 02 record?
 03
         SAMPSON CHANG: I pretty much read in the
 04 record. And I make my -- some personal (inaudible)
 05 don't like to -- but I don't mind to do, but I make
 06 some comments on it. So appreciate your
 07 recommendation.
         COMMISSIONER STONE: We understand that Matt
 0.8
 09 Chapa has left.
 10
              Marie Condrin, followed by Zeke Contreras
 11 and Alice Corona.
         MARIE CONDRIN: Hi. I worked with outreach
 12
 13 with the Downtown Neighborhood Council and I just
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14 wanted to address some of the questions that you 15 guys brought up earlier. 16 You did kind of catch us off guard with 17 the William Meade questions because we have spend so 18 much of our outreach with the brewery area and with the Central City East area where we know that other 20 groups were actively wanting -- wanting those areas 21 as part of their neighbor councils but there were

swells of people within those groups who wanted to 23 be part of Downtown. 24 And I think we've demonstrated that we've

25 reached over 2,000 residents in Central City East 0147

01 through fliers, in their mail boxes, through the 02 newsletters, through the 40 social service providers that have worked with us, and they have been 04 attending our meetings and they have been 05 participating in our committees. And our issues 06 committee did not ever suggest that there should not 07 be Skid Row included within our neighborhood 08 council.

09 But with regards to William Meade, you did 10 point out to us that we -- despite the outreach we 11 have done there, we have sent out fliers there, we 12 have got letters from there as well as Catellus and 13 Union Station. But it's true, we don't have 14 residents there who are participating in our 15 committees. And that's a problem and that's 16 something that we would definitely work on. 17

And I think they have so many 18 commonalities with the social service providers of 19 Central City East who are working with us and the 20 residents of Central City East who are working with 21 us.

And please do not ever doubt for a second 23 that we will reach out to those people and the 24 massive outreach effort that we're going to do for 25 the elections and make sure that they're 0148

01 participating with our group.

0.2

So I really hope that you'll support the 03 recommendations that DONE put forward rather than 04 any last-minute things that might have happened 05 today because they wouldn't reflect all the work 06 that's been put into this.

07 And I also just want to point out when it 08 comes to self-determination, the brewery has 09 collected 250 signatures out of the 300 residents of 10 that area and 57 signatures from the businesses all 11 around that area between the L.A. River and the 12 5 Freeway, and if self-determination is a good 13 reason for Little Tokyo to be part of the HCNC, then I hope that you would recognize that concept as the 15 community of the brewery and the businesses between

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16 the L.A. River and the 5 as being part of the
17 Downtown council rather than some community plan
18 that was developed a long time ago.
              Breathe. Okay. Got it in.
20
         COMMISSIONER STONE: Thank you.
21
         MARIE CONDRIN: My name is Marie Condrin.
         COMMISSIONER STONE: Thank you. And I don't
2.2
23 think Zeke Contreras is here.
24
              Alice Corona, followed by Ray Koranubius,
25 Junior.
0149
01
         ALICE CORONA: Hi. My name is Alice Corona and
02 I'm a business and property owner in Lincoln
03 Heights. Today I'm here to represent not only the
04 employees, my employees, but also members of our
05 local community.
06
              I am an active member of the neighborhood
07 council and a member of the historical Lincoln
08 Heights industrial district, as well as a member of
    the Lincoln Heights chamber of commerce.
                                              I am here
10 to express recommendations to keep the boundaries
11 for our neighborhood council as we have requested.
12
              I have always been an advocate for what I
13 believe to be the best for the community I work in.
14 I am amazed by the response to our efforts in
15 keeping our boundaries.
              The people I represent today are those
16
17 people who many times have no voices. These people
18 are the sole of a marvelous and unique
19 neighborhood. They are the local businesses and the
    local residents. Through numerous interviews they
21 all have expressed their strong support for our
22 boundaries.
              Our local community members demonstrate a
2.3
24 positive view of the future of Lincoln Heights, but
25 I ask the commission today, how are we to promote
0150
01 participation and be responsive to our local needs
02 if we are to be divided? Are we not to build
03 partnerships to address our local request? And of
04 course the answer is yes. Then why are we letting a
05 few people tear down our weak grass roots by
06 proposing a split of our small community?
07
              If we are to foster a sense of community
08 for all people to identify and prioritize our needs,
09 how do we propose to be effective by letting us
10 divide it into its very soul that is just barely
11 forming. We all support the idea of being a group
12 as a whole as to best organize our neighborhood and
13 resolve our economic, environmental, family, and
14 cultural challenges.
              Community building is a long a painful
15
16 process. The success of our efforts typically goes
17 through progress stages. To exclude the brewery
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18 would be catastrophic for our efforts. Community
 19 members need to establish relationships, build
 20 trust, and develop a sense of unity.
 21
              I thank you for -- for all your time, the
 22 president and the board. I also thank you, the
 23 guidance and support of DONE, especially Marco, but
 24 most of all to the committee supporters and
 25 leadership of my fellow peers of Lincoln Heights.
0151
 01
              Thank you, Oscar, for your determined
 02 enthusiasm. I really hope that we are able to
 03 acquire our certification today as to concentrate
    and focus in the future of Lincoln Heights.
 05
              Thank you.
 06
         COMMISSIONER STONE: Thank you. Ray
 07 Koranubius, Junior, Catherine Cummings, Norma
 08 D'Andrea. Amy Dainger. Corazon Del Sol.
 09
              Becky Dennison will be followed by Teresa
 10 Duarte and William Edwards.
 11
         BECKY DENNISON: Hello.
                                  My name is Becky
 12 Dennison. I work with the Los Angeles Coalition --
              -- from months of organizing work that has
14 taken place in this community which other people
    will speak to. And although we need to do a lot
 15
 16 more research -- I'm sorry -- outreach and
    organizing, we have made great progress, especially
 18
   since we've come back together as a new leadership
 19 group.
 20
              And support -- to support our letter of
 21 intent today we'd like to submit seven formal
    letters of support from community-based
 23 organizations and businesses in our neighborhood,
 24 including the volunteers of America and Salvation
 25 Army, two very large community-based organizations
0152
 01 with decades of work in our community.
02
              We also submit 203 signatures of area
 03 stakeholders who support a separate Central City
 04 East neighborhood association -- council. And I
 05 also submit the documentation of the history of our
 06 organizing and outreach that took place over the
    past year, as well as a formal letter from three of
 08 our residents who were excluded from the process of
 09 organizing in the greater Downtown L.A. Neighborhood
10 council.
 11
              And we have formal letters to DONE
 12 documenting those processes, so I would like to
13 submit all of that in support of a separate
 14 neighborhood council.
 15
              Just personally, I don't feel that a
 16 separate neighborhood council would result in
17 community members finding themselves outside of
 18 Downtown's community processes as was stated in the
 19 downtown L.A. Neighborhood Council application.
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20 Just the opposite, our neighborhood council will
21 allow us to create our own power and put us on equal
22 footing in community processes.
23
              Because of the structure and purpose of
24 neighborhood councils we do not feel that we need to
    align ourselves with traditional institutions and
0153
01 communities with power in order to create a cohesive
02 and impactful council.
03
              Two to five seats available to our
04 community on the Downtown L.A. Neighbor council's
05 board represents a very small minority of the 27
    seats available, and historically low income people
07 speaking as a minority have not been able to create
08 power in community processes.
09
              So for all of those reasons I feel that we
10 should be removed from their application.
11
         COMMISSIONER STONE: Thank you. Teresa Duarte,
12 William Edwards, Chuck Fisago, followed by David
13 Flores and Hector Flores.
14
         WILLIAM EDWARDS: You said. Edwards.
15 Duarte?
16
         COMMISSIONER STONE: What's your name, sir?
17
         WILLIAM EDWARDS: William Edwards.
18
         COMMISSIONER STONE: Go ahead.
19
         WILLIAM EDWARDS: Go ahead and go?
20
              My name is William Edwards. I have -- I
21 work in the five -- I work and live in the 500 block
22 of San Julian in the what's known as Skid Row,
23 Central City East. I've been involved in the
    Downtown Neighborhood Council's efforts to
25 organize.
0154
01
              Every meeting that -- that I have
02 attended, the core values that have been expressed
03 are centered around inclusiveness and equity. And I
04 believe the plan that has been submitted to you and
    the bylaws reflect those -- those basic values.
05
06
              You have -- you've heard in the response,
07 or you're being led to believe that there's some new
08 activity happening in that neighborhood or somehow
    people have been excluded. To the contrary, we have
10 active -- you are going to hear other individuals
    come up here and talk about the outreach that has --
    that we have been doing over the last year and the
12
13 number of people who have expressed their -- their
14 support of our efforts.
15
              I don't think that there is anything new
16 in the -- the idea of breaking off. I think that it
17 has been discussed and discussed in
18 our neighborhood over the last year and, frankly, it
    just has never garnered the support that the -- that
    the group would -- would like to have had. So I --
21 I guess the ideas coming forward to you and telling
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22 you that there's now something new.
              I think that to accept a -- to derail the
23
24 efforts of all of those -- of us in the community
25 that have about worked for the last year to be
0155
01 included at the larger table, to partner with the
02 other interests in the -- more fully partner with
03 the other interests in the city would be a
04 disservice to those who -- who have worked so hard.
05
              And please pay attention to some more of
06 the details that you're going to get later on about
07
    just the extensive outwork that's -- outreach that's
    been being done, and done the right way. Please
09 help us to support the inclusion of our neighborhood
10 in the larger council.
11
         COMMISSIONER STONE: Thank you.
12
              Chuck Fisago, David Flores, Hector Flores.
13
         HECTOR FLORES: Hello. My name is Hector
14 Flores, and I'm a student at Cal State Long Beach
    but I live in Lincoln Heights.
16
              I was confirmation teacher at our Lady
17 Help of Christian, who supports the Lincoln Heights,
    as well as the head of the youth group until I
    acquired a job and was not able to do it anymore.
19
20
              But Lincoln Heights has outreached to the
21 community, outreached to the youth group. My
    sister, who's part of it, they went to their
23 meetings. And I feel that Lincoln Heights does not
24 make the kids feel or the children, the youth, feel
25 inferior as sometimes it might because, you know,
0156
01 they're inexperienced, but yet they are very open to
02 their ideas and are very accepting to them and are
03 willing to work with the kids and what they want and
04 what they need in the community.
05
              So I support Lincoln Heights Neighborhood
06 community -- community council. Thank you.
07
         COMMISSIONER STONE: Thank you. Yuko Gabe,
08 Michael Gagan, Anna Gallegos, and Yolanda Gallegos.
09
         ANNA GALLEGOS: Hi. I'm a long-time resident
10 of Lincoln Heights. I went to school there, went to
    Our Lady Help of Christians, went away to college,
12 did a brief stint in the East Coast, but I returned
13 because I do feel it's my home.
              And I would like to say that I support
14
15 certification of a neighborhood council because it
16 really provides us a vehicle through which we can do
    outreach to community members and organize ourselves
    to become politically active citizens, thereby
19 giving ourselves the feeling that we have a voice
20 and agency in the decisions that are made in Lincoln
21 Heights.
22
              Because at this point, throughout the time
23 that I've been growing up, I've seen it become a
```

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24 very politically and socially disenfranchised
 25 community. And I came back because I want to do
0157
 01 something to bring us back to a place where we have
 02 political power and a voice.
              And I also, by the way, just want to
 04 mention that I support a Skid Row's formation of a
 05 neighborhood council as well.
 06
              Thank you.
         COMMISSIONER STONE: Thank you.
 07
 8 0
         ANNA GALLEGOS: My name? Oh, Anna Gallegos.
 09
         COMMISSIONER STONE: Okay. I think we jumped
 10 ahead. Mr. -- Mr Gagan. Gagan, sorry.
11
         MICHAEL GAGAN: And I think Oscar Garcia from
12 Lincoln Heights would like to come up as well.
13
         COMMISSIONER STONE: That would be -- that
 14 would be fine, Mr. (inaudible).
15
         MICHAEL GAGAN: In conversations with the
16 Lincoln Heights Neighborhood Council leadership, we
 17 have confirmed an agreement. We do not dispute the
 18 boundary that is recommended by DONE, and the
 19 Lincoln Heights Neighborhood Council does not
 20 dispute our bylaws.
 21
              So that may address some concerns that
 22 many of your future speakers might have.
         COMMISSIONER WOODS GRAY: Excuse me. Could you
 24 be more specific on what you don't dispute?
 25
         MICHAEL GAGAN: Yeah, we don't dispute --
0158
 01 coming in to today there was a dispute about the
    boundary, the proposed boundary. Staff proposed
 03 boundary as the Los Angeles River. We don't dispute
 04 that.
 05
              Our bylaws provide for the election of two
 06 representatives from the brewery area, and the down
 07 -- the Lincoln Heights Neighborhood Council doesn't
 08 dispute that.
09
              That's the nature of our compromise
10 agreement, or our agreement.
11
         COMMISSIONER WOODS GRAY: So now -- you mean
 12 that you're agreeing to include -- let the brewery
 13 go with Lincoln Heights?
         MICHAEL GAGAN: Physically it will be located
 15 in Lincoln Heights, that's correct. It's --
16 actually, it's addressed on page 4 of your staff
17
    report as one of the compromise options that had
18 been considered previously.
         COMMISSIONER WOODS GRAY: But you will have to
 20 -- are you going to speak on that, Mr. Garcia?
         OSCAR GARCIA: A little bit, yeah, a little bit
 2.1
 22 on that, yeah.
         COMMISSIONER STONE: Mr. Garcia, would you
 24 please give us your take on this?
 25
         OSCAR GARCIA: Our take was that we were
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0159
01 respecting the DONE report in the sense that -- the
02 boundary line. So we -- we support the DONE report
    showing that the brewery is part of the Lincoln
04 Heights Neighborhood Council. We do support that.
05
         COMMISSIONER STONE: Okay. We have -- well, we
06 have time to -- to clarify for rebuttal after all of
    the testimony is taken.
07
08
              I have Randy Gardo.
09
         UNIDENTIFIED SPEAKER: Could we have a
10 clarification, please, of the last speaker?
         COMMISSIONER STONE: And Floyd Harris.
11
                                                William
12 Harrison, Carrie Hendrix, and Andrew Johnson. And
13 please state your name since we're calling up so
14 many people at once.
15
         FLOYD HARRIS: Floyd Harris, the Los Angeles
16 Community Action Network.
17
              I'm a resident in the heart of Skid Row.
18 I've been there for several years. I am also an
19 artist. And I am against the outside boundaries.
20 mean, the Downtown L.A. Neighborhood Council can
21 have everything out there, but we want to have our
    own boundary in the -- in the area of Skid Row. You
23 know, we feel that we should be separated from
24 that.
25
              They want all of the pie, you know. They
0160
01 can share and give us a piece of it. You know,
02 what's wrong with that? And that's all I have to
03 say. You know, I do support our boundary, you know,
    which is the Skid Row area, but I have been living
05 in Skid Row for a very long time, and there are a
06 lot of artists down there as well. I see them every
07 day, I talk to them every day, you know. They're
08 nice people, and they -- they should be heard.
09
              You know, unfortunately they couldn't be
10 here 'cause they didn't have a way to get here, but
11 believe me, I speak for them and I'm sure my
12 colleagues do as well, and we -- we should have our
13 own separate entity.
14
              Thank you very much.
15
         COMMISSIONER STONE: Thank you. William
16 Harrison.
         WILLIAM HARRISON: Yes. My name -- my name's
17
18 William Harrison. I've lived in Central City East
19
    for approximately six and a half years.
20
              I ask today that we get a chance to have
21 our own neighborhood council away from the big one,
22 because all these people are talking about outreach,
   they've sent fliers out. I live in the SRO hotel,
24 senior citizens. I have not seen one outreach
25 person. I have not seen one flier. And there are
0161
01 other people I've asked about it and they haven't
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02 even any. As Harris said, they haven't had a way to 03 get here. 04 All I'm asking is we have a chance to 05 voice our opinion and to see what we can do, 06 because there is enough people in Central City East to do so if they just give them the chance to do 8 0 09 The bigger -- I'll make it real short. 10 The bigger council happened don't -- I would state 11 the majority of them don't even live in Central City 12 East. 13 All I ask is that we be given a chance. 14 Thank you. 15 COMMISSIONER STONE: Thank you. Carrie 16 Hendrix, Andrew Johnson. 17 CARRIE HENDRIX: Hello. I'm Carrie Hendrix. 18 I'm a resident and business owner of the brewery. I 19 am also the elected president of the brewery art 20 association which put on that event Arnold Carlson mentioned that hosted 15,000 people last weekend. 22 We do it twice a year. We're a group of about 75 to 23 a hundred artists that volunteer to put that event 2.4 on. We'd like to publicly thank Eugenia 25 0162 01 Butler, Don Levy, and Mike Brewer and everyone else who's worked so hard, plus Carlson Industries that 03 makes our neighborhood possible. Our organization strongly supports having 05 two seats on the Downtown council to represent our 06 views. It's a hard life being an artist and, if we 07 can do it together, maybe we'll have a chance. 8 0 Thank you. 09 ANDREW JOHNSON: Hi. My name is Andrew 10 Johnson, and I'm a resident of Central City East, 11 formerly known as Skid Row. And I'm here today to 12 voice my concern about us being -- or that particular section being included in a larger 13 14 council. 15 Traditionally this area has been neglected 16 in having a voice in any concerns or ability to self-empower, to make decisions for theirself that 18 effect where Skid Row is going. As the council is 19 aware, members of the audience is aware, that area 20 is changing. And we'd like for the council to 21 consider letting us form our own neighborhood 22 council as a part of that change to include us in 23 the decision-making abilities that effect that 24 area. 25 Traditionally that is a transit area, and 0163 01 due to efforts of SRO housing, a lot of people are 02 getting low income housing. That's a hot bed for 03 low income housing now and we need to continue to

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04 have a voice in the community there.
              And if council has the power and -- and
0.5
06 I'd like to add this (inaudible) before I close, a
07 pound of prevention -- I mean an ounce of prevention
08 better than a pound of cure, and then that applies
09 in this case if you allow the Downtown Neighborhood
10 Council to go forward.
              I'd also like to state that I'm a member
11
12 of the Los Angeles Mission Alumni and I'm a Vietnam
13 veteran that have concern about this issue.
14
              Thank you.
15
         COMMISSIONER STONE: Thank you. Herman Jones,
16 Steve Castin, Claude Kent, Nancy Kent.
17
         UNIDENTIFIED SPEAKER: I think those last two
18 were just -- they're not speaking but they were
19
    (inaudible).
20
         COMMISSIONER STONE: Regina Kirshenbaum.
21
         ROMERO: What is your name, sir?
         DON GARZA: My name is Don Garza. I filled out
2.2
23 a speaker card earlier.
         COMMISSIONER STONE: All right, Mr. Garza, I
25 think I -- I'm sorry. I've got a lot of piles
0164
01 here.
02
              Let's let Mr. Garza go. He has submitted
03 a card.
         COMMISSIONER MEMBRENO: You'll come after him.
05
         COMMISSIONER STONE: I apologize for that.
06
         DON GARZA: I am grateful. I sit on a
07 committee myself, so I know it gets rather hectic at
    times and I -- you know, I know they were listening,
09 you know, to us.
10
              A lot of outreach had been done in Central
11 City East. Erin Ulrich is a community builder for
    -- was the community builder, SRO Housing
13 Corporation, as he sent out fliers to the various
14 buildings and SRO.
              I myself, even before I became a PAC
15
16 member -- I have not missed one meeting. One gen-
17 -- well, that's not true. I have missed one general
18 meeting of the Downtown Neighborhood Council's
    general meetings where we all get together as a
20 group from various communities.
              I sit on the bylaws committee. They
22 listen to me. I stood up when the CCA, the Central
23 City Association, decided they wanted to have -- and
24 I -- I -- I understand. When the Central City
25 Association wanted to have a seat granted to them in
0165
01 the bylaws specifically, and I was one of the people
02 that stood up. And they listened, and it was
03 amended and it was voted for.
04
              To say that Skid Row does not have a vote,
05 or Central City East will not have a voice at the
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06 larger table, that is erroneous. We have worked 07 long and hard to overcome assumptions that we make 08 about each other. After September 11th it became 09 very imperative to me that we do see and speak to 10 each other at the larger table. 11 The reason Central City East is neglected 12 is because it has been isolated for such a very long 13 time. What -- Central City East is an institution in itself. The inhabitants of Central City East are 15 those that have either been institutionalized in 16 prisons, institutionalized in mental hospitals and 17 released. I myself have had experiences in the 18 past. 19 The -- the basic argument is going to be 20 are these people going to have a voice. The 21 neighborhood councils do not say if you are a 22 parolee you cannot have a voice. The neighborhood 23 councils say if you have a felony you do not have a 24 voice. The neighborhood councils are saying you 25 matter now. 0166 We are going to be able to vote for 01 02 somebody from Central City East, not -- not -- not somebody that has been groomed by social service 04 providers or activists or organizers, those people 05 that fight for free funding from the -- the -- the 06 people that have the money. 07 We're going to be able to be on that large 08 seat and we're going to be able to tell them which 09 -- which works and which don't work. And I would hope that you understand that we need to be heard, 11 not ignored. And if we are isolated, we will 12 continue to be Marginalized and we will be --13 continue to be ignored, and there will be a control 14 issue on the basis of organizers. 15 I have been excluded. I have been 16 excluded by certain organizations in the community 17 -- and yes, I know I got to go. But it's 18 imperative. I brought my -- my -- my -- I missed 19 class today. This is important. Please, do not let 20 us continue to drown in neglect because we think 21 that we cannot get along. COMMISSIONER STONE: Thank you very much. 23 the audience could please -- please refrain from --24 thank you. 25 HERMAN JONES: My name is Herman Jones, and I'm 0167 01 on the board of directors for L.A. Coalition in home 02 and homelessness and Emergency Food and Shelter 03 Board. 04 I bring to you today a question, and the 05 question is, is this going to be a neighborhood

06 council or a city council? Because, to me, it looks

07 like it's a takeover of our little bitty small

```
08 communities and some people that is already got
    everything in place to take over, and what is that
10 if it's not for money and for funding?
11
              I said that I -- I am a former resident of
12 downtown Los Angeles over a decade. And I've slept
13 out on those streets and I've slept where these big
14 companies take and put water sprinklers out so we
15 will not have any place to sleep. See, I've slept
    under those and got ran out, too, from -- from
17 downtown Los Angeles, from -- from the -- from the
18 city part to the L.A. River.
              And here it is, is that there are some
19
20 agency and some people around that's trying to
21 change things, and you guys are talking about not
22 giving them a chance to make a change. This -- this
23
    -- this council will not be able to change anything
24 in a couple years, even though they are big and they
25 are going to have even less concentration on the
0168
01 most needed area in the -- in Los Angeles.
02
              So with a council this big, with an area
03 trying to support this big, there's no way that they
04 can target downtown. They can -- they can actually
05 target the Central City East.
06
              So I'm asking you, please, please consider
07 Central City East as being independent. That's --
    that's all we need.
8 0
09
              And just one other thing before I go.
10 heard some people speaking about educating,
11 empowerment, and engage. On Skid Row I haven't --
    no city councilman, no anybody ever been out to
13 engage in one of those sidewalk sales with me,
14 haven't anyone came out and tried to educate me on
15 how to get up out of Skid Row and try to get a life
16 and by a home. Have --
17
         COMMISSIONER STONE: Mr. Jones, if you could
18 wrap up, please.
         HERMAN JONES: I will.
19
20
              And there was no one that was empowering
21 me until it was some people from right there off of
22 Skid Row that reach out and help me.
23
              Thank you.
24
         COMMISSIONER STONE: Thank you.
25
              Steve -- Steve Kastin, Claude Kent and
0169
01 Nancy Kent.
02
         STEVE KASTIN: Good afternoon. My name is
03 Steve Kastin, and I think of myself as a stakeholder
   in Lincoln Heights three different ways. First,
   I've been in business in the community on North
06 Broadway for over 30 years. I own property in
07 Lincoln Heights, and I'm a member of many local
08 organizations, primarily the Lincoln Heights chamber
09 of commerce, past president of the chamber for
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10 approximately 15 years. 11 You heard our present chamber president 12 address you. Our chamber of commerce does support 13 the neighborhood council, the boundaries as drawn, and we think it's a good thing for the community. 14 15 One of our -- one of the things that we're 16 real proud of in the community, especially the chamber, we say unity builds the community. And I 17 really think that this neighborhood council can go a 19 long way in building that unity. 20 The makeup of the neighborhood council, I 21 think, is remarkable. It's well represented. 22 real proud of it. I'm watching what's going on. The leadership has emerged. I think you have wonderful people there. I put my hands into the 25 leadership. I think my -- my business and my 0170 01 concerns will be taken care of, I'm sure. And I also want to mention one of the 0.2 03 things the chamber has done for many years is 04 provided sidewalk sales in the community, which the 05 neighborhood council has embraced. They have done 06 outreach programs at our neighborhood -- at our sidewalk sales when we've had probably 10, 20,000 07 08 people walk through the streets. So people are well 09 aware of it, they've been informed, they know what 10 it's all about, and I think they've done a great 11 job. 12 The one controversy that saddens me is the 13 controversy with the brewery. I, for one, have been in that community long enough to know that the 15 brewery is in Lincoln Heights. Lincoln Heights is a 16 well-established suburb of Los Angeles. It's 17 known. It's Lincoln Heights. I'm proud of it, and 18 when I tell people where my office is, I'm proud to 19 say it's in Lincoln Heights. 20 And I think we've failed to network enough 21 with the brewery. I think the neighborhood council 22 can -- can resolve that. We did have, I think, some 23 heart -- hurt feelings because we had a business 24 improvement district in Lincoln Heights that failed 25 to embrace the brewery, and there were some 0171 01 shortcomings on that body. 02 Between the neighborhood council and the 03 chamber and the other organizations, I think that 04 will be resolved. And I would really look forward 05 to working with the brewery and I'll be the first one to step forward and work with them, with the 07 neighborhood council, the chamber, and the brewery 8 0 together. 09 Thank you very much. 10 COMMISSIONER WOODS GRAY: Can I ask you a 11 question? Sir, before you leave, does your mail go

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12 to Los Angeles or Lincoln Heights?
         STEVE KASTIN: You know --
13
         COMMISSIONER WOODS GRAY: I mean, is it
14
15 addressed to you in Los Angeles?
16
         STEVE KASTIN: It goes both ways, to be very
17 honest with you. It is definitely Los Angeles,
18 90031, but we get letters all the time Lincoln
19 Heights. So it goes both ways.
20
         COMMISSIONER WOODS GRAY: Thank you.
21
         COMMISSIONER STONE: Claude Kent, Nancy Kent,
22 and Regina Kirshenbaum. Brian Keto, Don Levi, and
23 after that, Fan Lu.
         BRIAN KETO: Excuse me. Since I've spoken
25 already I'm going to give my name up to someone
0172
01 else.
02
         COMMISSIONER STONE: Okay. Keep it brief, too,
03 please.
         BRIAN KETO: Okay.
05
         TAKAWA SUZUKI: Real briefly, again, my name is
06 Takawa Suzuki. I was born in Los Angeles, raised,
    and now work in Little Tokyo. And in addition, I
08 belong to a Little Tokyo Residents Association.
              And the one thing I would like to state
09
10 for the record is regarding the Little Tokyo
11 southern boundary, particularly Fourth Street.
    is, Little Tokyo right now is only 25 percent of
13 what it used to be in the 1930s. 25 percent. You
14 know, that's -- it's a dramatic decrease.
              And aside from that fact, Little Tokyo
15
16 census tract incorporates the area up to -- up
17 Fourth Street and is within the same zip code.
              I would like to stress that the Little
19 Tokyo community supports Little Tokyo to go up to
20 Fourth Street. Please keep Little Tokyo intact.
21
              Thank you.
22
         COMMISSIONER STONE: Thank you. Don Levy, Fan
23 Lu, and Rick Mantly.
         DON LEVY: Hi. My name is Don Levy. And I'm a
25 resident at the brewery and I've been an active
0173
01 member of DLANC since early August when I first
02 learned of it.
              And in a few -- in a couple hours I'm
04 probably going to have to go back to the 80 percent
    of the residents in the brewery who petitioned to be
06 part of DLANC and I'm going to have to go back to
    the 95 percent of those in the industrial area
08 between us and the river who petitioned, who signed
09 petitions -- maybe even higher than 95 percent --
10 and try and explain to them why the word
    "empowerment" doesn't mean what they thought it
11
12 meant.
13
              And so if you'll bear with me for just a
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14 minute, I would like to give you some facts.
         COMMISSIONER STONE: Just a minute, though.
15
16
         DON LEVY: Just a minute.
17
         COMMISSIONER STONE: Yes.
         DON LEVY: We've worked a year, and you need
18
19
    some facts. And so if I can -- first of all, I
20 believe (inaudible).
              I'm pretty nervous. I believe you all
2.1
22 have these, but I will give you a copy anyway. And
23 I refer you to the colored maps that are on there,
24 which I will also hold up for the audience.
25
              So here's some facts, if I may.
0174
01
              Could somebody help me with this, please?
02 Thank you, Betty.
03
              Fact: This is the proposed boundaries of
04 Los Angeles, DLANC. You will notice that this area,
05 artist area down here, is an extra mile away from
06 where we and the brewery are. That's a fact.
07
              Fact: Until we took our own petitions
08 out, not a single petition was signed, not one, for
09 Lincoln Heights and the brewery. When we went and
10 got 77 petitions -- or 75, Lincoln Heights came in
11 and got 66. They did it by saying that there was an
12 agreement that we could be shared by both. And I'm
13 sure you're all aware that you haven't approved
14 that.
15
              We then gathered other petitions, and we
16 have five -- 300 -- I'm sorry, 257 petitions from
17 the -- from the brewery for Downtown and 57 from the
18 businesses to our west.
19
              I also would like to call to your
20 attention to our exhibit number -- and then I will
21 let you go -- could you -- could you allow me?
         UNIDENTIFIED SPEAKER: I had (inaudible).
2.2
23
         COMMISSIONER STONE: I appreciate if the public
24 please will refrain from making comments.
25
              And Mr. Levy, if -- if you can wrap it up,
0175
01 we do have the materials that you're referring to.
         DON LEVY: If you will look, there is a map in
03 there --
04
         UNIDENTIFIED SPEAKER: (Inaudible).
         DON LEVY: Do your time, sir.
05
         COMMISSIONER STONE: Excuse me, everyone.
06
07
    Please, please wrap up.
8 0
         DON LEVY: I will.
09
         UNIDENTIFIED SPEAKER: (Inaudible).
10
         COMMISSIONER STONE: Please continue.
11
         DON LEVY: I will as soon as these gentlemen
12 stop shouting over me.
         UNIDENTIFIED SPEAKER: You going to let him run
13
14 that or are you going to (inaudible)?
15
         COMMISSIONER STONE: Excuse me, sir. Excuse
```

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16 me, sir. You had your chance to speak.
         UNIDENTIFIED SPEAKER: Right. But who
 17
18 (inaudible)?
         COMMISSIONER STONE: Excuse me, sir. If we --
 20 we can't argue about this. Let's just proceed.
 21
              Mr. Levy, please wrap up your comments.
 22
         DON LEVY: If you will look at the map of
 23 Lincoln Heights' own map, which you will see there's
    a series of dots all over their area, you will see
    that their outreach has not been into the brewery
0176
 01 and that it hasn't even been into County USC, where
    they have not a single signature in this huge area
 03 with tens of thousands of stakeholders.
              Now, the question is, where's the
 05 empowerment? What do I tell our people? And that's
 06 my question.
 07
         COMMISSIONER STONE: Thank you very much.
 08
              Fan Lu, Rick -- Rick Mantly, and Ingrid
 09 Mao.
 10
         FAN LU: Hi. My name is Fan Lu. I'm a student
 11 at Lincoln High School, and I'm very proud for the
12 neighborhood and also I am very -- I'm -- I'm
    nervous, I'm sorry -- I'm willing to do everything
13
14 to help our neighborhood council and I will tell all
15 my friends who joins in, and I want to be a part of
 16 it.
 17
              Thank you.
18
         COMMISSIONER STONE: Thank you. Rick Mantly,
19 Ingrid Mau, and Rich Mc Carthy.
 20
         RICK MANTLY: Good afternoon. My name is Rick
 21 Mantly. I'm a long-term resident of the Central
 22 City East area. I'm a veteran, honorably
 23 discharged, I might add, and I'm also a member -- a
    proud member of the Los Angeles Community Action
 25 Network, L.A. Can, which is a true grassroots
0177
 01 community organization, and our organization is in
 02 the forefront of this effort to bring about a Skid
 03 Row neighborhood council.
 0.4
              If this process is about empowerment, you
 05 don't empower people, over 11,000 residents who are
 06 living in the -- in the map that we've drawn up, the
 07 boundaries we have drawn up, there's been -- there's
 08 11,000 residents in that area. You don't empower
 09
    11,000 residents by giving them one or two seats on
10 a 27-man board. That's not empowerment.
11
              You don't empower residents by giving
    (inaudible) a voice on a -- have a small voice.
 13 Central City East neighborhood council will not give
 14 them a voice that will be barely heard; it will give
15 them a voice that roars. It will give them a voice
    that will be heard loud and clear.
 17
              That's not going to happen on this larger
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18 Downtown Neighborhood Council. They will not have
19 that voice. They will not have that
20 representation. That's why it is imperative that we
   -- that you allow us to go forward with the process.
22
              And of course it's difficult to organize
23 the people in this area. They've traditionally been
    disenfranchised, they've been -- traditionally been
    excluded.
2.5
0178
01
              It was curious to note that when we had
02 all these Power Point presentations that you have
03 the statistical breakdown of the ethnic and racial
04 diversity in the area. That was not presented to
05 you by the Downtown Neighborhood Council. And you
06 know why? Because the overwhelming majority of the
07 people in that area are African-American, and as one
08 of the Commissioners expressed, they are the people
09 that have traditionally been disenfranchised and
10 have not been included in the political process.
11
              And you will further -- you will further
12 add to that disenfranchisement if you will not allow
13 us to go forward and create a downtown neighborhood
14 council. That is what we ask for, that's what we
15 demand actually, because we are not going to sit
16 back and be --
17
              They talk about how we going to have a
            We'll have much more of a voice being part
18 voice.
   -- having our own Skid Row neighborhood council than
20 being part of this larger group. We'll have much
21 more of a voice being our own organization and the
    determining our own destiny. We will not have a
23 voice and we will not be allowed -- we don't want to
24 be passengers on the back of a bus. We want to
25 drive the vehicle.
0179
01
              Thank you.
         COMMISSIONER STONE: Thank you. Ingrid --
03 Ingrid Mau, Rick -- Rich Mc Carthy.
04
         INGRID MAU: Hi. My name is Ingrid Mau. I'm
05 -- I'm a resident of Lincoln Heights and I also go
06 to the Lincoln High School.
07
              I heard about the neighborhood council
08 when my teacher, Miss Abagian, presented the
    opportunity for me to learn about it. Well, I just
10 want to say that I support the council fully, and
11
    thank you.
12
         COMMISSIONER STONE: Thank you very much.
13
              Rich Mc Carthy, Richard Marullio, Lynn
14 Myers, and Robert Nakahiro.
         LARRY ROUCH: Hi. I'm Larry Rouch speaking for
16 Richard Marillo. He filled out a card for Central
17 City East Association, and I'm the chairman of
18 Central City East Association. Richard had to
19 leave, so I'm speaking for him in his behalf.
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20 I'd like to say that we are supportive of 21 the DONE report. We want to be included in the 22 central -- in the Downtown district. We -- I'm a little surprised by some of the comments I've heard 24 because there was a lot of meetings that took place 25 between us and the Little Tokyo group and there was 0180 01 an agreement, or at least we thought there was an agreement that the boundary would be at Third Street 03 with a couple of exceptions that were, historically, 04 more belonged to Little Tokyo. 05 There are six property owners in the 06 Downtown district who have property between Third 07 and Fourth and the disputed area. All six of them 08 are advocates of being in the Downtown district 09 that was -- that was described. 10 Richard Marillo is the owner of the Little 11 Tokyo center, and he polled the tenants in his and 12 he -- he said that there was no overwhelming one way or the other, but he is a -- just a strong, strong 14 advocate of being included in the Downtown 15 Neighborhood Council. The -- one of the other speakers mentioned 16 17 about providing security in that interim area. 18 fact, some of those home -- property owners in that 19 area have contracted with the BID to provide that 20 area, and in over 50 percent of those property 21 owners have expressed interest in the expanded BID 22 which will come up next year to be included in -- in the current BID. They haven't formed one and, as they said, don't -- you said it had been however 25 many, four, 10 years that they hadn't done it. We 0181 01 have it, and they've asked us to expand into their 02 area. 03 The toy district, which is significantly 04 in that area, are -- are all supportive of being in 05 the Downtown district. 06 And as far as reaching out to the -- the 07 Central City East area, there was continual outreach to the Central City East. I know that our executive director made monthly calls to the -- to a number of 10 the stakeholders, or who represented stakeholders in that area and never got any interest in -- in 12 participating any more than they did. 13 So we are very supportive of the -- of the 14 Downtown Neighborhood Council. 15 Thank you. 16 COMMISSIONER STONE: Thank you. 17 Lynn Myers, followed by Robert Nakahiro, 18 and Mark Nakagawa. LYNN MYERS: Thank you. I am Lynn Myers. I am 20 a Downtown stakeholder and I have worked in Downtown 21 since 1994. I've seen some amazing changes going on

22 and happening in that time. And I'm looking forward to working with our Downtown Neighborhood Council to 24 make that happen and continue to happen. 25 Finally, I'd like to thank everyone in our 0182 01 group who has done a lot of hard work to pull this 02 together. It's a very diverse group, as you can 03 tell, and we look forward to continuing to work with 04 them. 0.5 Thank you. 06 COMMISSIONER STONE: Thank you. 07 I have been just told by staff that we 08 only have this room until four o'clock, so we really 09 need to move it along. And if anyone is coming up 10 to speak and their points have already been made, 11 please just associate yourself with that point and 12 we'll take note. Thank you. 13 ROBERT NAKAHIRO: Good afternoon, 14 Commissioners. My name is Robert Nakahiro, and I'm 15 here as a member of the steering committee of the 16 Arroyo Seco neighborhood council, and our 17 application will be coming up on May 28th. 18 And I'm here simply to provide some --19 some clarification for the record. As a result of 20 -- I believe, or I was informed some last-minute 21 input by the Department of Neighborhood Empowerment, it was necessary for the Arroyo Seco Neighborhood 23 Council to come together with our brothers and 24 sisters in the Lincoln Heights Neighborhood Council 25 to reach an agreement with regards to the ASNC's 0183 01 southern boundary, which would be the Lincoln Height 02 -- Lincoln Heights Neighborhood Council's northern 03 boundary. And I'm very pleased to say that we worked 05 on it yesterday, we worked on it diligently and we 06 reached agreement. And so it was signed off and it 07 is in writing. 8 0 It's my understanding that you may or may 09 not have received this signed agreement as a part of 10 their certification application with respect to their boundaries, so we would simply request that 12 whatever vote is taken with regards to the Lincoln 13 Heights Neighborhood Council today, that that be subject to and include the amendment to the 15 boundaries in writing between the ASNC and the 16 Lincoln Heights Neighborhood Council. And I also want to say that I'm very 18 pleased and very proud, I wish them well, and I know 19 that we in the ASNC are going to work very, very 20 well with our brothers and sisters in the Lincoln 21 Heights Neighborhood Council and all the 22 neighborhood councils to empower the communities of

23 the northeast Los Angeles.

```
24
              Thank you.
25
              I'm not sure -- again, I can read this. I
0184
    only have an original. I don't have a copy. So --
02
    okay.
03
              Thank you.
04
         COMMISSIONER STONE: Thank you. Mark Nakagawa,
05 followed by Howard Nishimura and Carlos Nistal.
06
         MARK NAKAGAWA: I'm Mark Nakagawa, the senior
07 minister of Sentinery United Methodist Church in
08 Little Tokyo. We occupy the corn -- the southeast
    corner of Third and Central right next to Little
   Tokyo Square, where I've gotten to know Mr. Marillo
11 quite well. He's the principle there.
12
              In addition to being the senior pastor of
13 Sentinery, this is also the church of my family and
14 where I grew up as a youth, so I have a lot of the
15 history of this congregation. And I'm here to speak
16 to the issue of the disputed boundary which is the
    south side -- the disputed boundary between the
18 Historical Cultural council and the Downtown
    council, which is primarily -- well, where it begins
20 is the south side of Third Street.
              I believe my church is one of the historic
21
22 areas that Larry just mentioned, and I'm here to say
   today that although we -- we really feel that we are
    a part of the Downtown area, obviously
25 geographically, our reason for being in Little Tokyo
0185
01 both historic and cultural. And this is very true
02 with respect to Sentinery.
03
              Sentinery Methodist church was chartered
   in 1896 as the Los Angeles Japanese Methodist
05 Mission. We were the first officially chartered
    Christian organization ministering to the Japanese
07
    immigrant population over 100 years ago.
8 0
              From 1896 until the early 1920s our
09
    congregation moved among several locations in the
10 Little Tokyo area. Because of the alien land laws
11 at that time which prohibited Japanese immigrants
12 from owning land, the Methodist church purchased
    property for our congregation on the corner of
14 Normandie Avenue and 35th Street. Today that area
   is called South Park, referred to as South Park.
16 And we were there for about 50 years.
17
              But this is the important point that I
18 wish to raise: In the mid 1980s, our congregation
19 made the conscious decision to move back into Little
20
   Tokyo, back into downtown. And think about this for
21 a second for those of us here who have memories long
22 enough to remember this: In the 1980s there was a
23 mass exodus of churches as well as businesses from
    the downtown area out to the suburbs.
25
              We went counter to that frame of thought
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0186
01 and chose to move back into Little Tokyo because we
02 realized this was the hub of Japanese American
03 community in Southern California, and that is why we
04 are now back in Little Tokyo.
05
              We are not antibusiness. We have
06 prominent business people in our congregation, both
07 in the broader downtown area as well as Little
08 Tokyo. But they -- even they agree that if it --
09 when it comes to the neighborhood councils,
10 Sentinery United Methodist church as well as some of
11 the other historic Japanese locations along the
12 south area of Third Street, can best serve the
13 broader interests of downtown by being part of the
14 Historic Cultural council.
15
         COMMISSIONER STONE: Thank you very much.
16
              Carlos Nistal, followed -- okay, he's not
17 here. George -- George Pentanasis?
         UNIDENTIFIED SPEAKER: (Inaudible), no?
18
19
         COMMISSIONER STONE: And then Dino Pentasis.
20
              Did I call you?
         HOWARD NISHIMURA: You called me and then
2.1
22 skipped over after --
         COMMISSIONER STONE: I'm sorry. What's your
24 name, please?
25
         HOWARD NISHIMURA: I'm Howard Nishimura.
0187
01
         COMMISSIONER STONE: Yes. Go ahead, sir.
02
         HOWARD NISHIMURA: Okay. I'm president of the
03 Little Tokyo Community Council and I'm also a
   resident and I have a business that was in the
05 disputed boundary area between Third and Fourth.
06
              The community council represents over 50
07 community organizations and also businesses
08 organizations. We feel very strongly and have
09 endorsed unanimously the compromise that we are --
10 have two members of the Downtown and when we go into
11 the historic -- stay in the Historic and Cultural
12 Neighborhood Council.
13
              As a result, the only dispute we have at
14 the present time is the area between Third and
15 Fourth Street between San Pedro and Alameda.
16 feel very strongly. When I had the meeting and our
17 committee had a meeting with the Downtown group,
18 they brought all of the property owners, and
19
    personally I thought it was going to be a meeting
20 with just a boundary committee and not with all of
21 the people -- property owners, so I didn't bring
22 with me the affected people such as the churches and
23 the other groups.
24
              And also, I'm in the professional building
25 which is at Fourth -- Third and San Pedro, which has
0188
01 many Japanese Americans practicing, doing business
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02 in that area.
              So as a result, when we had a -- a
 03
 04 preliminary agreement, it was then I had a
 05 subsequent meeting that day with the executive --
 06 executive committee of the community council, and it
 07 was voted unanimously that they would like to keep
 08 that in the Little Tokyo boundaries. And that's
 09 that area between Third and Fourth.
 10
              The main driving force of the discussion
 11 is that we've had a tremendous homeless problem
 12 coming in from the south -- the south, and that's
 13 sort of become an area that gives us a buffer zone
 14 so that we can try to keep the homeless to the south
15 of us, farther south.
16
              And that was the reason that we -- those
17
    members who are very strong in opposition to any
 18 kind of agreement on giving up that area brought at
 19 that time.
         COMMISSIONER STONE: Thank you.
 20
 21
         HOWARD NISHIMURA: Thank you.
 22
         COMMISSIONER STONE: George Pentasis?
         GEORGE PANTASIS: Pantasis, yeah.
 2.3
         COMMISSIONER STONE: Pantasis? I'm sorry.
         GEORGE PANTASIS: Yeah, my name is George
0189
 01 Pantasis. I'm one of the original -- myself and a
    few other people got together, did the Lincoln
 03 Heights Neighborhood Council.
              I had a different speech made up, so I
 05 threw that out the window once I saw what unity we
 06 have in here, and I want to applaud the board and
 07 their decision to keep our boundaries as they were
 08 originally.
              We had a lot of diverse conflicting
 09
 10 moments, but I think through the diversity we will
11 have unity, we will have some kind of confirmation
12 among us to go forward and, as the man said up here,
13
    I think we should all get on the bus and drive it
 14 forward and forget about everything else and let's
 15 see what's positive for the city and what's positive
16 for our community.
 17
              And I thank you again and thank you for
 18 respecting our boundaries. And again, I also want
    to throw in I support the Central City -- Central
 20 City East.
 21
              Thank you very much.
 22
         COMMISSIONER STONE: Thank you. Dino Pantasis,
 23 Charles Porter, and Larry Rausch.
         DINO PANTASIS: Hi. My name is Dino Pantasis.
 25 I'm the -- a member of the Lincoln Heights
0190
01 Neighborhood Council steering committee and a --
    come on, Dad -- Lincoln Heights chamber of commerce
 03 board of directors, and I, in person, represent 50
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04 percent of the Greek population in Lincoln Heights.
              I'm in full support of the Lincoln Heights
05
06 Neighborhood Council boundaries as submitted by
07 DONE. Our neighborhood council has done a lot of
08 positive things in the area, including helping build
09 a skateboard park in Lincoln -- Lincoln Park.
10
              Also, I'd like to bring up a few points in
11 regards to the point that you made, are we Downtown
12
    -- are we Los Angeles or are we Lincoln Heights?
13
    There is a post office named the Lincoln Heights
14 branch of the United States Post Office. There's a
15 B of A Lincoln Heights branch, not Downtown L.A.
16 Branch. There's a fire company called the Lincoln
17 Heights Fire Company Division One. And also, the
18 DWP, right on the front it says Lincoln Heights
19 branch.
20
              Also, I am a stakeholder and resident on
21 Sixth and Alameda, and I'm in full support of the
22 Central City East council's formation.
23
              Thank you very much.
24
         COMMISSIONER STONE: Charles Porter, Larry
25 Rausch.
0191
         CHARLES PORTER: Good afternoon. My name is
01
02 Charles Porter, and I work in the Central City East
03 area referred to commonly as Skid Row. I'm an
04 organizer in the area.
05
              And basically, just to give some history,
06 we've been involved in organizing for more than a
07 year. Basically, one of the things that we did, we
    looked at the documents presented -- created by DONE
09 and we saw the exception for the 20,000 resident
10 criteria. That's something that I don't think has
11 come up.
              And we looked at our community and how our
12
13 community is a cohesive community. It has -- it has
14 a history to it. There's two parks in the
15 community, fire station, police department,
16 concentrated services, et cetera.
17
              I would have to say that led to a series
18 of meetings, the -- culminating in July 20th, 2001
    there was a community meeting where the discussion
20 topic is should Skid Row have its own neighborhood
21 council. There were -- it was a diverse group of
22 people there, approximately 30 people, and based on
    the consensus of the people there, the majority felt
24 that the area should have its on council, and that
25 led to a larger forum.
0192
01
              There were actually only two people in
02 opposition to the idea, and their -- they are active
03 member of the larger Downtown L.A. Neighborhood
04 Council, Orlando Ward and Erin Ulrich, who have been
05 key players in the larger Downtown Neighborhood
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06 Council. But they were the only two voices in
07 opposition that day, which led to a larger forum.
              I would have to say that there was a lot
08
09 of momentum. Actually in all -- in all, there were
10 approximately 150 people that participated in a
11 four-month period. And earlier the larger Downtown
12 neighborhood council stated 300 people in a year,
13 and it's a smaller area. So it was pretty
    successful organizing efforts.
15
              One of the main things I did want to
16 mention is that there is a power dynamic that's not
17 really been addressed as far as the resident voice
   and having service providers in the business
19 community speak for the resident, and it was kind of
20 a fracture between what the residents --
21
         UNIDENTIFIED SPEAKER: (Inaudible).
22
         CHARLES PORTER: I'm giving historical --
23
         COMMISSIONER STONE: You've had your chance to
24 speak. Please respect him.
25
         CHARLES PORTER: I'm giving a historical
0193
01 background to this process so that people know that
02 there has been ongoing interest by residents.
              And I ask that you consider that and that
03
04 you leave the boundaries for the -- the -- the Skid
05 -- well, the Central City East area outside of it.
06
              And also, in regards to outreach, I also
07 wanted to make a closing comment. I saw one flier
08 and it said, you know, "For more information, go to
    our website." And I think that the outreach efforts
10 have to be culturally relevant to the community.
11
              The community is mostly African-American
12 and mostly Latino. Monolingual Spanish speakers
13 aren't -- aren't properly represented or outreached
        And the analogy I would make is like the United
14 to.
15 States dropping peanut butter in Afghanistan to feed
16 the hungry people. You know, it's like if you look
    at -- if your efforts aren't culturally relevant,
17
18 why would you expect people to participate? But
19 don't think there's a lack of participation because
20 there's a lack of interest.
21
              So I want you to consider all that in your
22 determination. Thanks.
         LARRY RAUSCH: Hi. I'm Larry Rausch. I
24 already spoke so I'm going to give my time to
25 Charlie Woo, please.
0194
01
         COMMISSIONER STONE: Okay. Mr. Woo, if you can
02 make it brief.
03
         CHARLIE WOO: All right. Yeah, I'll make it
04 brief.
              Charlie Woo, the former chair of the
0.5
06 Central City East Association. I own property both
07 in the Downtown Neighborhood council as well as the
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08 Historic Neighborhood council and I have property
09 right on the disputed area on Third and Fourth
10 Street. And the property on there are really for
11 toy business for toy districts.
12
              And I think the Downtown Neighborhood
13 Council has been very sensitive to the historic
14 buildings in that district and they -- like the
15 churches, they ought to belong to Little Tokyo.
    However, the businesses in that disputed area, they
17 clearly would be benefited, like toy business, be
18 part of the toy district in -- in the Downtown area
19 and, also, for the Central City East neighborhood
20 council.
21
              And I'd like to add that one of the reason
22 I support that being part of Downtown is that I
    think we all like to look to the future and upward
24 economic mobility, and I think that is important for
25 the stakeholders in the Central City East area, or
0195
01 you would call it Skid Row area, to one day be just
02 as prosperous as the rest of Downtown, and I think
03 that's the prime motivation. I think we should be
04 part of the larger neighborhood so that we empower
05 everybody in the Downtown area.
06
              Thank you very much.
07
         COMMISSIONER STONE: Thank you. Yvonne
08 Renfren. Yvonne Renfren, Kevin Scott, and Kent
09
    Smith.
10
              And just to let everyone know, we --
11 within probably 45 minutes, we may lose a quorum on
    our board. If that's the case and we don't have
13 four members here, we're going to have to
14 automatically continue this hearing until our next
15 scheduled hearing, which is May 7th.
16
              So we'd like to do everything possible to
17 wrap this up, so if anyone has comments and can just
18 make very brief for or against, that would help us.
19
         ROMERO: Just an observation. The May 7th
20 meeting is in Sunland.
21
         COMMISSIONER WOODS GRAY: Staff said that the
22 May 7th meeting is in Sunland.
23
         ROMERO: (Inaudible).
24
         COMMISSIONER STONE: Okay. Ms. Renfren.
25
         YVONNE RENFREW: Thank you. My name is Yvonne
0196
01 Renfrew. I'm an attorney. I live and work at the
02 brewery.
03
              You've heard of the brewery today. The
04 brewery is the small community that's being used as
05 a pawn among larger interests who are trying to cut
06 deals without much regard for what the brewery
07 residents actually want.
08
              The concept of neighborhood council, if it
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09 means anything, would seem to me to mean community

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10 self-determination. Here you have a small
11 community, which within that very small area, has
12 mustered more expressions of preference on the part
13 of its stakeholders than it took Lincoln Heights to
14
   apply for certification in the first place.
15
              The brewery residents have overwhelmingly
16 and clearly expressed their preference for being
    aligned with Downtown.
17
18
              Excuse me. I'm losing my voice. I've
19 been talking too much today.
2.0
              It seems to me that there is a huge and
21 strong community of interest between brewery
22 residents and Downtown, that of course being an
23 interest in developing a support system and
    infrastructure for the arts in Los Angeles.
25
              Los Angeles is known at this point
0197
01 nationwide as being enjoying a urban Renaissance,
02 due in no small part to the arts activities that are
    going on.
              It's going to take cooperation among the
04 arts people in order to further develop that
05 infrastructure.
              If you cut off the brewery, which is not
06
   just L.A.'s but the world's largest concentration of
07
08 artists, the world's largest arts colony, from that
09 downtown infrastructure you're going to not only
10 hurt the city in terms of its arts development but
11 ultimately it's going to lead inevitably to a
12 departure of people from the brewery to a location
13 where they feel they can better become integrated
   into that arts infrastructure.
15
              Thank you.
16
         ROMERO: The next speak -- the next speaker,
17 Kevin Scott, Kent Smith, Jane Zuflu.
         KEVIN SCOTT: Hi. I'm Kevin Scott. I'm a
18
19 resident of Downtown and I work Downtown. I also
20 was the deputy director of the Charter Reform
    Commission and started the discussions on the
21
22 neighborhood council process five years ago, and I
23 was also the plan consultant for the neighborhood
24 plan.
25
              I'm going restrict my comments, despite
0198
01 the fact that I have a lot, to one thing that I
02 don't think you've heard today.
03
              I think that it is wrong for Little Tokyo
04 not to be part of Downtown. Little Tokyo on one
   side, on the -- on the east -- on the west boundary
    is San Pedro Street. Parker Center is across the
07 street, City Hall is one block away.
8 0
              A stone's throw across, which is the
09 length of -- a long stone's throw across, which is
    the length of Little Tokyo, you can see the other
11 boundary at Alameda, which is Senior Fish.
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12
              If the central part of the city had said,
   "We don't want those people in our area," you would
13
14 be up in arms. But effectively we've allowed a
15 situation so far to be created that makes a racially
16 segregated neighborhood council be created that
    invades the boundaries and makes Downtown -- that
18 invoice the boundaries of Downtown Los Angeles and
19 makes Downtown less diverse.
20
              And if you go to -- you have a member of
21 the city attorney here. If you go to the Charter
22 itself, it said that the neighborhood councils are
23 supposed to be inclusive. They're supposed to be
24 diverse.
25
              And creating little -- letting people go
0199
01 to their smallest, smallest, most segregated areas
02 is totally at odds with what the whole neighborhood
03 council process is about, and I urge you to put
04 Little Tokyo in Downtown, in DLANC, and that will
05 also solve these peripheral problems you're hearing
06 about, is we're losing a little bit of Little Tokyo
07 to the west and a little bit of Little Tokyo to the
08 east. It's because it's supposed to be Downtown.
09
              Thank you.
10
         COMMISSIONER STONE: Thank you.
11
              Kent Smith and then James Sewerflow.
12
         KEVIN SCOTT: I'm Kent Smith, executive
13 director of the fashion district, co-chair of the
14 DLANC boundaries committee.
15
              Boundaries are a divisive issue as you've
16 heard. They're also a very emotional issue.
17 Compromise is difficult. I want to congratulate the
18 DONE staff. Romero Marro, in her report I think
19 she's come down evenhandedly on all of these
20 issues. I would respectfully ask that you endorse
21 the recommendations on boundary -- on boundaries on
22 page 17 of your report.
23
              Thank you.
24
         COMMISSIONER STONE: Thank you. James
25 Sewerflow and Lisa Sugino.
0200
01
         RICHARD SMITH: Mr. Chairman -- or President,
02 my name is Richard Smith. I submitted a request to
03 speak.
04
         COMMISSIONER STONE: Yes. My apologies about
05 not knowing the alphabet. Mr. Smith, I have your
06 card right here. Go ahead.
         RICHARD SMITH: Okay. My name is Richard
08 Smith. I'm a five-year resident of Central City
09 East. I'm here in support of a separate
10 neighborhood council for Central City East.
              I have submitted several letters. I
11
12 hand-delivered a letter to the mayor, to Nick
13 Pacheco, to Jan Perry, to Rockard Delgadillo. I'd
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14 like to just briefly read one sentence.
 15
                    "Mr. Mayor, you have stated in
16
         your speech of May 14th that DONE should
17
         be an incubator for empowerment, but in
 18
         reality it is acting as an abortionist to
 19
         kill off the dreams and aspirations of the
20
         voiceless in the heart of our great city."
 21
              I'd like to conclude my presentation by
 22 re-emphasizing that last statement.
         COMMISSIONER STONE: Thank you.
 23
 24
         RICHARD SMITH: I thought I was coming to a
 25 church, but this is an abortion clinic. I'm sorry.
 01
         COMMISSIONER STONE: Thank you very much.
02
              James Sewerflow. Lisa Sagheno.
03 Takahau Suzuki.
 04
         LISA SAGHENO: Hi. I spoke a little earlier.
 05 But I was just -- I was surprised to hear some of
 06 the comments that were being made about that there
    were deals cut on the boundaries.
 8 0
              I think that there was a proposal put
 09 forth, but it was not accepted on Little Tokyo's
10 side so, therefore, there was no deal cut.
              And, you know, if we want to start talking
11
12 about deals being cut, actually there was a deal cut
13 about a year and a half ago with CCA senior staff
 14 member on this that Little Tokyo and the artist
 15 district were going to be their own area and that
 16 there would be a greater sort of confederation of
17 Downtown associations type of bringing together of
    all the different neighborhood councils that were
    looking to form within the area that CCA had started
 20 considering to be Downtown, which included all the
 21 way to Pico Union, way north into Lincoln Heights
 22 and even south down to Exposition Park.
 23
              So that -- that agreement, obviously, you
 24 can tell today as you're having to sit here through
 25 seven hours, was not respected once that staff
0202
 01 member left and then we were left in the situation
 02 where we are.
 03
              As you can see on that map over there, the
 04 whole area east of that line that was drawn, it's
 05 three to four times bigger than the whole Little
    Tokyo piece between Temple and L.A. So that piece
 07
    was already traded out in this -- in this
 08 compromise --
 09
              -- businesses. So you know, I feel like
 10 there's already this piece in there. And
 11 unfortunately, you know, every time that there's
 12 money on the table, that we've been getting, for
13 example, through the state, the state has issued
    like a Japan town's piece already as policy, and
15 we're one of three Japan towns in the state.
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16 There's money that may be flowing.
17
              And so for now people are happy getting
18 money out of these projects that they've chosen to
19 buy or chosen to live in or whatnot in Little Tokyo,
20 but, you know, now they're saying they're not in
21 Little Tokyo but when the money flows then suddenly
22 people are at a meeting.
              So I just am hoping for some kind of
2.3
24 consistency on your part as far as deciding where
25 people really historically have been.
0203
01
         COMMISSIONER STONE: Thank you.
02
         LISA SAGHENO: Thank you.
03
         COMMISSIONER WOODS GRAY: Excuse me.
                                              Where is
04 -- can you show me the toy district?
05
         LISA SAGHENO: Pardon?
06
         COMMISSIONER WOODS GRAY: Can you show me the
07 toy district.
         LISA SAGHENO: Sure. (Inaudible). What I'm
0.8
09 talking about is this area (inaudible) cut out and
10 (inaudible).
         COMMISSIONER WOODS GRAY: Oh, that's where the
12 toy district is?
13
         LISA SAGHENO: Yeah. There's a reason why this
14 is (inaudible).
15
         COMMISSIONER WOODS GRAY: That's the toy
16 district?
17
         LISA SAGHENO: The toy district goes down to
18 there.
         COMMISSIONER WOODS GRAY: Oh, okay. That's
19
20 fine.
21
         COMMISSIONER STONE: Thank you.
22
              Takau Suzuki, followed by Al Tyra, and
23 Kevin Tomaki.
         AL TYRA: Hello, Commissioners. My name is Al
25 Tyra. I'm a resident, a businessman, and a property
0204
01 owner in the Little Tokyo area and the Little Tokyo
02 arts district area since 1945.
03
              I'm here to -- I'm also a member of the
04 Little Tokyo Businessmen's Association. And the
05 association took a vote just this last Thursday and
06 they unanimously voted to go into the downtown
07 committee council.
              However, there was no objection to the
0.8
09 compromise that was made. The only objection I have
10 is the objection of the Third Street, or the south
11 border. I am the developer of the medical building,
    Jodosu Temple, Sentinery Methodist Church, and
13 Little Tokyo Square. That's approximately
14 two-thirds of the length from Alameda to San Pedro.
              I know some of those property owners
15
16 personally, and I did not know of this meeting they
17 had. I am totally object -- I totally object that
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18 the property line be moved to Third Street with the
19 exception of the two churches. I want to keep and
20 maintain the property, the boundary at Fourth
21 Street, with the exception maybe the one block that
22 really relates to the toy section.
23
              Thank you.
24
         COMMISSIONER STONE: Thank you.
25
              Kevin Tamaki, Frank Tamberillo, and Leslie
0205
01 Taplan.
02
         KEVIN TAMAKI: Good afternoon, Commissioners.
03 I'm Kevin Tamaki. I'm an external affairs director
04 with SPC Pacific Bell, a major employer downtown,
05 and we've been around for a long time downtown.
              I've been working with the Downtown
07 Neighborhood Council formation process for about a
08 year. It's been a wonderfully inclusive, diverse,
09 thoughtful, constructive, and compassionate
10 experience, and I certainly urge that you approve
    the application for certification as presented by
12 the Downtown Neighborhood Council applicants.
13
         COMMISSIONER STONE: Thank you.
14
              Frank Tamberillo, followed by Leslie
15 Taplan and Ian Treveri.
16
         FRANK TAMBERILLO: Good afternoon. Frank
17 Tamberillo, L.A. Coalition to end hunger and
18 homelessness. I work in Skid Row area. I just want
19 to say we totally support a Central City East
20 separate neighborhood council.
2.1
              This process is about empowerment, and
22 this is a group that has been ghettoized for a long
23 time. They've been ghettoized geographically. We
24 don't want to ghettoize them further by making them
    just a small subset of a huge Downtown city
0206
01 council.
02
              There's 11,000 people in Skid Row. They
03 need more than two representatives to be adequately
04 represented. The wealthy already have their
05 neighborhood council. It's called city council.
06 And let's just remember this neighborhood process is
    about empowering the stakeholders, not the steak
08 eaters.
09
              Thank you.
         COMMISSIONER STONE: Thank you.
10
11
              Leslie Taplan, Ian Trevari, and Erin
12 Ulrich.
         LESLIE TAPLAN: Yes, my name's Leslie Taplan.
14 I'm with the Downtown Los Angeles Neighborhood
15 Council. I've worked from the beginning primarily
16 on the boundaries committee.
17
              I just wanted to say how much the members
18 of the brewery have been a part of our council.
```

19 We've been talking about them as if this is some

20 decision to be made for the future, but the reality 21 is their input has been critical to the formation of 22 the Downtown Los Angeles Neighborhood Council. I would like you to please consider that 24 they should continue working with us in our council 25 from now on. 0207 01 Thank you very much. 02 COMMISSIONER STONE: Thank you. 03 ERIN ULRICH: Hi. It's hard being at the end 04 of the alphabet, but my name is Erin Ulrich, and I've been organizing in the Central City East community around the neighborhood council and DLANC 07 issues consistently for over one year. 8 0 First of all, I just wanted to point out 09 that I think your decision should come down to --10 there are people advocating on both sides of this 11 Central City East inclusion in the DLANC 12 neighborhood council issue, but I want you to look 13 at who's done the work, who's put in the time, who's 14 submitted the evidence, who's written, and who has 15 their stuff together. It's -- it's fine to come here a week --16 17 you know, prepare a week before, but that -- it's --18 that's not a good indicator of who would run a 19 better neighborhood council. 2.0 I wanted to mention that Romero's report 21 was great but she forgot to note that over 350 of 22 the DLANC signatures were from Central City East 23 stakeholders and most of them were from residents. We've had over 50 communities and tenant 25 meetings in which outreach was done about DLANC and 0208 01 neighborhood council, including every resident 02 meeting and every tenant advisory council meeting 03 that took place in 20 SRO hotels that included over 04 1400 residents. 05 As short as a month ago a meeting was 06 held, a Central City East DLANC meeting was held to 07 organize neighborhood residents and ensure and 08 strategize over them having a strong presence and a strong voice in the neighborhood council. 10 And I'd appreciate your attention. 11 you. We've done a ton of outreach. Over 2,000 12 13 fliers have gone out to residents. Don't think that 14 our residents aren't connected with computers or to 15 the internet. There are about 15 computers in the 16 neighborhood. And I'll tell you something, almost every single resident I know in Central City East 17 18 has an e-mail address. 19 This is an unprecedented and unrepeatable 20 opportunity to give a historically disenfranchised

21 -- to give a historically disenfranchised

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22 stakeholder a seat at the table. I strongly
23 encourage you to approve the inclusion of Central
24 City East in the DLANC boundaries.
25
              Thank you.
0209
         COMMISSIONER STONE: Thank you. Sats Sueda,
01
02 and Luke Vincent.
         IAN TRIVERS: Trivers, Ian Trivers.
03
04
         COMMISSIONER STONE: I've called you before,
05 yes. Your name again?
         IAN TRIVERS:
                      Ian Trivers.
07
         COMMISSIONER STONE: Ian Trivers.
8 0
         IAN TRIVERS: And I just want to comment that
09 I've been working with the Downtown Neighborhood
    Council since it pretty much got started, and I'm
11
    very proud of the way the different groups'
12 interests and people have come together in something
13 that I -- I don't think is seen anywhere else.
              And the kind of interests that we
14
15 originally came to the table with were so different
16 and how we've come together, and I think it would be
17 a real shame if that wasn't recognized.
              I don't think it is clear enough in some
18
19 of the reports, in a lot of things being said here
20 today and a lot of the power plays that certain
21 people are making, but we'd be happy, if you had any
    questions for any of us, to let you know the real
23 diversity of people, the kind of people working on
24 this aren't, as it's been put forth, big business.
25 They're people like me who are a resident. I spend
0210
01 my own time working on this. And most of the people
02 who do are. And a lot of unfair characterizations,
03 and I think that -- I would hope that you would look
04 past those.
05
              Thank you.
06
         COMMISSIONER STONE: Thank you. Sats Sueda,
07 Luke Vincent, and Frank Wadda.
8 0
         SATS SUEDA: Hi. My name is Sats Sueda. My
09 family has had a business in the Little Tokyo area
10 for over 55 years, and also a property owner.
11
              What I'd like to say for the record is
12 that my family and I would like to see Little Tokyo
13 be part of the Historic Cultural Neighborhood
14 Council.
15
              There was a speaker earlier that was
16 saying that he didn't think it was a good idea for
17 Little Tokyo to split off into a smaller area and it
   should become part of the downtown area. But I
18
    think I have some reasons why many of us feel Little
20 Tokyo is more comfortable going with the Historic
21 Cultural Neighborhood Council.
22
              One, going back about eight years ago in
```

23 the area of public safety, at the civilian police

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24 advisory board monthly meetings there was Agusto
 25 from Olvera Street and there was another gentleman,
0211
 01 Henry from Chinatown, was saying that car break-ins,
    aggressive panhandling, and the homeless population
    in general are dissuading visitors and tourists to
 04 come to their areas. Well, Little Tokyo had the
 05 very same problem.
 06
              What -- what we did through the Little
 07 Tokyo Anticrime Association was help Chinatown get
 08 their public safety association together and, also,
 09 to put their voluntary program together to help
 10 diminish the amount of crime in that area.
11
              As far as the businesses, Little Tokyo has
12 a lot of mom and pop businesses. Chinatown has a
    lot of mom and pop businesses, and so does Olvera
 14 Street. So we feel comfortable there.
15
              In terms of community, the Little Tokyo
 16 service center works -- over the years has worked
    with the Chinatown community service center
 18 providing services to the elderly and senior housing
 19 and also small business advice.
 2.0
              Little Tokyo also is interested in going
 21 with ACNC, because if they go with ACNC they have a
 22 possibility of 10 representatives out of 29, which
 23 would be a 35 percent impact. Well, if they went
 24 with Downtown they would only have five
 25 representatives out of 27, which would mean only 19
0212
01 percent representation.
 02
              And finally, the reason Little Tokyo would
 03 -- well, in my opinion, Little Tokyo would like to
 04 go with ACNC is in their goals and programs that
 05 they would like to effect is the development of
 06 tourism, which is common to the three areas, Olvera
 07 Street, Chinatown and Little Tokyo, and they also
 08 want to do cultural historic preservation and
 09
    development and, thirdly, give residents and other
 10 disenfranchised population empowerment. These other
 11 populations include seniors --
12
         COMMISSIONER STONE: Sir, if you could please
 13 wrap up.
 14
         SATS SUEDA: Okay. -- youths in the area and
 15 nonresidential workers. So these are some of the
16 reasons why Little Tokyo --
 17
         COMMISSIONER STONE:
                             Thank you.
18
         SATS SUEDA: -- would want to go to ACNC.
 19
         COMMISSIONER STONE: Thank you very much.
 20
              Luke -- Luke Vincent, Frank Wadda, and
 21 Orlando Ward.
 22
         LUKE VINCENT: Hello. My name is Luke Vincent,
 23 with the Los Angeles Community Action Network and
    the Los Angeles Coalition to End Hunger and
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25 Homelessness. I'm now a resident of Skid Row.

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0213
01
              And I'm urging you to support the Central
02 City East Neighborhood Council, 'cause a lot of
03 people don't have transportation to come to, say,
    this far to this meeting or to go down to USA, which
   I'm not sure if they're still trying to claim that
06 for the Downtown Neighborhood Council.
07
              My idea of neighborhood council is you
08 should be able to walk to where meetings are,
09 especially for dense areas like downtown. I might
10 say that downtown, as far as I'm concerned, includes
11 Lincoln Heights and down to USC and out to
12 Mac Arthur Park and quite a bit east of the river,
13 really, but it's an area that should be at least 10
14 neighborhood councils, not one or four.
15
              Another thing I'd like to mention is
16 succession. An important purpose of the
17 neighborhood councils is to enable people to be
18 empowered without succession, because succession is
    a very deadly idea. Los Angeles needs it like a
20 hole in the head. We would become a mess in the
21 west with the succession movements.
22
              To suit the purposes of neighborhood
23 councils, they need to be compact enough for people
24 to get to the meetings, and that will maximize
25 participation.
0214
01
              Thank you.
02
         COMMISSIONER STONE:
                              Thank you.
03
              Frank Wadda, Orlando Ward, and Bill
04 Watanabe.
05
         FRANK WADDA: Hello. My name is Frank Wadda.
   I'm a long-time resident of Lincoln Heights. To
07
    make my comment short and brief --
         COMMISSIONER STONE: Thank you.
8 0
09
         FRANK WADDA: -- I support the Lincoln Heights
10 Neighborhood Council's application, also support the
11 DONE's report on the application.
12
              So thank you very much.
13
         COMMISSIONER STONE: Thank you.
14
              Orlando Ward. And Mr. Ward, if you can
15
    just be brief since you've spoken already.
16
         ORLANDO WARD: Yeah, I'll be real brief.
17
         COMMISSIONER STONE: Thank you.
         ORLANDO WARD: Yeah, my name is Orlando Ward,
18
19
    a former unhoused resident in Skid Row and currently
20 working in the Skid Row area. And -- and I got to
21 say real quick that I'm extremely excited about the
    enthusiasm that the Skid Row neighborhood has in
23 organizing. I know that's essential for that
24 particular neighborhood.
25
              And I've been working with this process
0215
01 with DLANC for about a year now, and -- and I'm
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02 torn, frankly. I think there's some capable people
    in Skid Row and I certainly think that -- that it's
 04 possible that the Skid Row neighborhood could
 05 survive and do very good for that neighborhood.
 06
              I guess my conflict comes, as you know,
 07 when, because Skid Row is an embattled, very, very
 08 marginalized community, and -- and it's time for
    that particular area to stop talking about it and be
 10
    about it, and it's time get something done.
 11
              I believe, from the work that I've done
 12 with DLANC, it can happen, and so I'm in support of
13 that.
         COMMISSIONER STONE: Thank you. Bill Watanabe,
 14
15 Pete White, Cecilia Ybarra, and then Evelyn
16 Yoshimura.
17
              Mr. White.
 18
         PETE WHITE: Oh, I am next. I will strive for
 19
    brevity. Thank you.
              My name is Pete White, with the
 20
 21 Los Angeles Coalition to End Hunger and
 22 Homelessness, where I serve as organizing director,
    and I have served in that position for the past
 24 decade.
              We've heard lots of testimony today from
 25
0216
    the Community Action Network, very impassioned
    residents of this community talking about the
 03 Central City East neighborhood council, who I
 04 founded.
 05
              Our proposed neighborhood council will
 06 reflect the voices of the disenfranchised, the work
   of the abject poor, the small mom and pop business
 08 owner, the truly destitute people that are
 09
   struggling to survive without risk of being lost
10 once again in the shuffle.
11
              Our neighborhood council will
12 strategically -- strategically place those same
13 disenfranchised voices in the rooms and at the
 14 tables that they have been historically closed to
 15 and traditionally omitted from, serving as a check
 16 and balance to ensure the much needed changes in our
    neighborhood can come to fruition for the benefit or
 18 the detriment of those stakeholders.
19
              There were many points made this morning
 20 and many observed assertions. One that I would like
    to note is that how could anyone devalue one year of
 22 organizing, one year of grassroot organizing in the
 23 Downtown residential community? I think if I looked
    at a Webster's dictionary, that would be the
 25 definition of arrogance.
0217
 0.1
              Two questions that I want to give you.
02 Why doesn't the large group meet our needs
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03 historically and how would we best use a

```
04 neighborhood council to our advantage? Why a large
05 group doesn't meet our needs historically, because
06 the vast majority of the large group interests are
07 the same folks who continue to push Skid Row into a
08 black hole. We don't feel that today or yesterday
09 or tomorrow they can represent the people of our
10 community.
              How will we best use a neighborhood
11
12 council to our advantage? We will organize. We
13 have the capacity. I have 10 years organizing
14 experience. I'm with an organizing organization
15 that's been around 15 years.
16
              We have the capacity to get it done. Give
17 us a deadline, we shall meet that deadline.
18
              I truly support the efforts of this
19 community -- not of my organization, of all the
20 individuals that came up today to speak to you,
21 truly diverse -- a truly diverse representation of
22 what Skid Row is.
23
              Thank you very much.
24
         COMMISSIONER STONE: Cecilia Ybarra, followed
25 by Evelyn Yoshimura.
0218
         CECILIA YBARRA: Hi. I'm with the Lincoln
0.1
02 Heights Neighborhood Council. I live in Lincoln
03 Heights and I work in education with L.A. Unified.
04
              And I do support the Lincoln Heights
05 Neighborhood Council and I hope that you certify it,
06 but I also just wanted to address a couple of really
07 quick general comments.
08
              You guys have a very, very big job in
09 front of you. And you're going to make some people
10 angry with the decision that you make, whatever
11 happens.
12
              I deeply, sincerely want to encourage you
13 to remember the people who could not get their
14 signatures together because they lack money or
15 resources or transportation, who are not able to
16 show up and have their application together and be
17 really smooth and be really professional, the people
18 who are really disenfranchised and the people I
19
    think that the neighborhood councils were really
20 created for.
              I don't know what you should do exactly
22 about Central City East or about the William Meade
23 housing project, but please remember them and have
24 them be huge in your mind as you make these
25 decisions. They need to be represented. And a lot
0219
01 of them aren't here, the people who need to be
02 represented.
03
              Please remember them. Thank you.
04
         COMMISSIONER STONE: Thank you. Evelyn
05 Yoshimura.
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EVELYN YOSHIMURA: And I will be brief.
06
07
         COMMISSIONER STONE: Thank you.
8 0
         EVELYN YOSHIMURA: I have two points. One is
    that I just wanted to set the record straight.
    There was a statement made -- this is again about
10
   the Third and Fourth Street boundary of Little Tokyo
12 in the HCNC proposal.
13
              There was two meetings supposedly to
14 negotiate that border. I was in one of them and I
15 got feedback from the people in the other.
16
              Neither meeting was there ever an
17 agreement made. And the second meeting I wasn't at,
18 but the people who reported felt a little bit
19 frustrated because there was no agreement made, they
20 stated that they were willing to let the board
   decide. And at that point I guess the staff person
22 made a recommendation in one way or another, and I
23 quess there was a little frustration about that
24 process.
25
              So I just wanted to set the record
0220
01 straight there were no agreements made.
02
              The second point I wanted to make, I just
03 wanted to address the whole question of Little Tokyo
04 and how we should -- some people feel we should be
05 part of Downtown because then it will be more
06 diverse, Downtown Neighborhood Council will be more
07 diverse and that they always wanted to be inclusive
08 and all that stuff.
09
              First, Little Tokyo is historically a
10 Japanese American community, but it's today a very
11 multicultural, too. Like the building that I work
12 in is an affordable housing place where there's 16
13 languages spoken and, you know, everybody is there.
14 So it's a very multicultural place itself, although
15 it's, you know, historically Japanese American.
16
              Also, I just wanted to say that
17 personally, I'm not speaking for anybody but myself,
18 I -- and I -- I really hear a lot of the things that
19 the people from the central city group are saying,
20 because I define inclusive as meaning that you are
    included if you want to be included, not you're --
22 you're being forced, you're in any way from the
23 outside to be included in something. And I think
24 people themselves have a right to decide where they
    should be represented and how.
0221
01
         COMMISSIONER STONE: Thank you.
02
              That is all the public cards that I have
03 for number -- for number 3. Has anyone else
04 submitted a card that I have not read? I have one
05 here. Is Alicia Aquilla -- no?
06
              Ms. Avila.
07
         MS. AVILA: Good afternoon. I'm here
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08 representing a group of residents at the William
09 Meade, and I just want to say that I -- that we
10 support the Lincoln Heights Neighborhood Council.
11
              Thank you.
12
         COMMISSIONER STONE:
                             Thank you.
13
              What I'd like to do now is call up each of
14 the applicants for a three-minute each rebuttal.
    We're going to go in the same order that we went in
    before: The Downtown Los Angeles Neighborhood
17 Council first, then Lincoln Heights, and Historical
18 Cultural.
19
         MICHAEL GAGAN: Thank you, Mr. President,
20 members. I wouldn't characterize my own approach to
21 this assignment as a rebuttal.
22
              The Downtown Los Angeles Neighborhood
23 Council is very proud of the process that we used to
24 arrive at the product that is before you today. We
25 have made many compromises, especially on
0222
01 boundaries, and we've followed the process of
02 inclusion that was contemplated by the Charter, by
03 the ordinance, and by your own guidelines.
04
              We respectfully request that you support
05 the staff recommendation that is before you.
06
         COMMISSIONER STONE: Thank you very much.
07 that conclude your rebuttal?
         MICHAEL GAGAN: Yes, it does.
0.8
         COMMISSIONER STONE: Thank you. And now we'll
10 call up the Lincoln Heights Neighborhood Council.
         MICHAEL GAGAN: Wait. I'm sorry. I didn't
11
12 realize that -- go ahead.
13
         COMMISSIONER STONE: If we can keep it brief.
14 It's part of your -- part of your 10 minutes.
         UNIDENTIFIED DLANC SPEAKER: Just a point --
15
16 just a point on the issue between Third and Fourth
17 Street in Little Tokyo, we just want to point out
18 that there were a number of meetings. Property
19 owners and businesses are stakeholders, too. There
20 are no residents in that one-block area.
21
              The two cultural institutions that were in
22 question, we -- we readily let them go to Little
23 Tokyo.
24
              Thank you.
25
         UNIDENTIFIED DLANC SPEAKER: I just wanted to
0223
01 speak one more time to our inclusiveness. I know
02 that you've heard about 15 really vocal people from
03 Central City East today, but I want to remind you
   that we have over 350 signatures, most of them
05 residents of Skid Row, who support the Downtown
06 Neighborhood Council and have been attending our
07 meetings. And as people have noted before, they
    can't always get to meetings like this, but they are
09 supporting us and they're part of our group.
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10
              And on all of our fliers that we've sent
11 out, we had phone numbers, and they were invitations
12 to public meetings, most of which were in the down
   -- all of which were in public areas. And they also
14 did mention in fine print at the bottom a website,
15 which I know all SRO housing residents have web
16 access. But for the ones who don't, we have phone
17 numbers.
18
              And we invited them to come to our public
19 meetings, and over 350 people have supported us and
20 have been working with us and are part of this
21 group. They just aren't here today to make a
22 scene.
23
              But we really are inclusive and we're
24 really proud of the work that we have done.
25
         COMMISSIONER STONE: Thank you. And we'll turn
0224
01 now to Lincoln Heights. Feel free, you don't have
02 to use the three minutes, but go ahead.
         OSCAR GARCIA: I'll try to -- I'll try to make
04 it very, very brief.
              First of all, I just want to thank the
06 Downtown Neighborhood Council, and it's been a real
    interesting moment today. It's been exciting. And
07
08 the reason why I'm thanking you is at least we got
09 to get together and have some dialogue.
              I think it's understandable the Lincoln
10
11 Heights Neighborhood Council did a lot of outreach.
12 We reached out to most of our constituency in trying
13 to reflect our demographics. As you can see the
    strong support that we have, we're urging you to
15 accept our application and certify us that we can
16 continue doing the strong work ahead, and we're
17 urging you also to support the DONE report.
              And with that, I'll -- once again I just
18
19 want to thank all of you for taking the time to
20 listen to us. Thank you.
         JOEL BLUME: Yeah, hi. I'm Joel Blume, sort of
21
22 representing the HCNC. I'd just like to reiterate
23 the HCNC thoroughly endorses a compromise,
24 especially in regards to Little Tokyo and the arts
25 district having representation in both councils.
0225
01
              I don't really want to get into the
02 Third/Fourth Street debate, thinking hopefully that
    the compromise takes care of whatever border
04 decisions, boundary decisions we have.
05
              But Lisa?
         LISA SAGHENO: But of course I'll address the
06
07 Third/Fourth Street compromise. Well, I've already
08 spoken on it, and we're already leaving out quite a
09 few groups. The Rafasheem Poet is the largest
10 Japanese daily newspaper in the country. It's
11 across the street on L.A. Street at Third. They
```

12 were very disappointed to hear they weren't going to 13 be in the HCNC. They assumed all along that they 14 would. 15 You know, the Gardeners Federation, 16 Japanese Gardeners Federation is on San Pedro on the 17 west side just south. You know, all these groups 18 are being left out. So please just keep that area intact between San Pedro and Alameda, and attached. 20 Thank you. 21 COMMISSIONER STONE: Thank you. We have now 22 gone through all of the speaker cards, we've had rebuttal, so I'm going to ask staff to come up and give a three-minute summary of staff's 25 recommendation. 0226 01 ROMERO: Regarding the Downtown, the staff 02 recommended that you adopt the findings in the 03 report and move to certify the Downtown Los Angeles 04 Neighborhood Council and to approve the boundaries submitted by DLANC with the exclusion of Little 06 Tokyo as bounded by Temple on the north, Los Angeles 07 on the west, Third Street on the south, and Alameda 08 on the east. 09 Based on public testimony, the Board may 10 consider -- may wish to consider modifying this 11 proposal for the boundary, the southern boundary of 12 Little Tokyo. The -- this particular recommendation 13 would exclude Little Tokyo and the brewery from the 14 Downtown's boundaries. Based upon public testimony, we have the 15 16 request for the Central City East own neighborhood. 17 I've asked one of the representatives to draw what 18 that boundary might look like. If the -- the Board wishes to consider 19 20 approving that particular request, the Board would 21 also want to make findings as to how that allows for 22 the Downtown neighborhood to continue to be compact 23 and contiguous. 24 And in the event there are any boundary 25 revisions, we had recommended that the board advise 0227 the applicant to amend their bound -- their bylaws 02 to incorporate any of those changes. 03 In the case of Lincoln Heights, we 04 recommended that the board move to certify the applicant and accept the findings in the staff 06 report and approve the boundaries, the final 07 boundaries as determined in the staff report. 0.8 There was testimony that one of the 09 overlap situations was finally resolved, and so we 10 need to amend the boundaries as given. And that 11 would be on the north, the 110 Freeway, and -- okay, 12 great. 13 COMMISSIONER MEMBRENO: Start over again,

14 please. Thank you. ROMERO: On the north, it would be the 110 15 16 Freeway to Avenue 42, ending at Heritage Square, down along Heritage Square to Idlewild Avenue to Avenue 33 north, to Lupin Terrace to Von Ket- --Keithian Street, to center of the Flat Top Hill, to 20 Sierra Street, Mercury Avenue. 2.1 And this would also advise the applicant 22 to amend their bylaws to reflect the boundaries of 23 the neighborhood council as determined by the commission. 25 For the Historic Cultural, the staff --0228 01 oh, one other -- one other, in the case of Lincoln 02 Heights there would be -- you also would be adopting 03 the staff's findings with a modification to delete 04 any language about shared boundaries with the 05 Greater Valley Neighborhood Council since that 06 application will come at a later time. 07 In the case of Historic Cultural, we would 08 request that you adopt all the findings in the staff 09 report including -- including a finding that -- let 10 me see -- including a finding that the proposed area 11 as identified, because it is in the community plan, 12 areas of city planning, because it is historically 13 -- is historic and identifiable neighborhoods that 14 are served by city services and that provides HCNC 15 with services, then the approximate population of 16 15,000 does meet the plan requirements. 17 So we'd ask that that is mentioned is in 18 the report, we wish to call it out, but that is a 19 finding that you will be making, that they qualify 20 for the exception to the 20,000 limit. 21 We would also approve the boundaries of 22 HCNC in such a way that the artist district would be 23 with the Downtown Neighborhood Council and that 24 Little Tokyo would be -- or the artist district's 25 northern boundary would be up to Third Street, with 0229 01 the exception of the religious facilities, and 02 advise the applicant to reflect your changes to their boundaries in their bylaws. COMMISSIONER STONE: Thank you, Romero. With 05 that, public hearing for item number 3 is closed. 06 And we are now on to commissioner discussion, 07 deliberation on -- on this item. Appreciate the 08 patience of everyone in the crowd. We've been on 09 this item for five hours, now in addition to the 10 other one we approved, so thank you for everyone for 11 staying around. 12 I guess what I'd like to do to kick it off 13 is to see if -- given time constraints, see if we as 14 a commission -- I'd like to hear what my fellow 15 commissioners have to say to see if we feel like

16 this is something that we can -- that we can approve and certify today or if we'll have to look at 17 18 postponing until the next hearing. 19 And whoever wants to speak. 20 COMMISSIONER WOODS GRAY: I would certainly 21 hate to postpone, but I know because of time constraints some of our commissioners have other commitments, and it's been a long day. 24 My statement, I -- I want to, like someone 25 else said, drive the bus forward. What I'm going to 0230 01 say will not be favorable to everyone in the 02 audience, but I want everyone to remember that we 03 all live in Los Angeles, our neighborhoods are 04 different, they have different needs. They reflect 05 the uniqueness and the specialness of all of us in 06 Los Angeles. 07 You are all to be commended for the work 08 -- the many hours of volunteer work that you've done, and you've really -- I am very much energized 10 by the downtown community to see that you are as 11 excited as I am, because as I travel throughout this 12 country, downtown areas are being rejuvenated and 13 revitalized, and that's great to see that people are 14 interested in living and working in downtown 15 Los Angeles, because I don't plan to move and I want it to continue to be a great city. And the Downtown 17 is very important to that. 18 What we want to do is to make sure that 19 everyone is included as we work to improve our city and our neighborhoods. First of all, I question 21 whether Central City East could and would be 22 represented by the larger Downtown interest of the 23 Downtown Neighborhood Council. There are many underlying issues that we 25 never discuss at a meeting like this. I'm not sure 0231 01 how many of the businesses or the groups in Downtown 02 Los Angeles have had -- who have the ability to do 03 so have offered assistance to the residents of the 04 Central City East by jobs or other -- or in other 05 ways before this particular event took place. I -- because of the historical nature of 07 Little Tokyo, I believe that it should be approved 08 to be a part of the proposed map that I have here in front of me that puts it with Historical 10 Neighborhood Council, the Historical Cultural 11 Neighborhood Council. And for the Downtown area, again, I've 12 13 already said I was excited to see what's happening 14 there, but I am still concerned about the Meade area 15 and the brewery. And for that reason I would exclude Central City East, Little Tokyo, the

17 brewery, and William Meade area from that particular

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18 neighborhood council.
              Lincoln Heights has outreached and has
19
20 indicated a desire to work with the William Meade
21 group, and for that reason I would consider putting
22 William Meade there along with the brewery.
23
              I would accept some of the staff findings
24 other than what I've already stated.
25
         COMMISSIONER STONE: Commissioner Membreno.
0232
01
         COMMISSIONER MEMBRENO: Well, it's been a long,
    long day, and it doesn't get any easier at this
03 point. We've heard enough testimony from all groups
    that are here this afternoon, but I have to agree
05 with Commissioner Woods Gray. It is really
06 disturbing to me to see some groups feeling left out
07 because things were not perceived as being of
08 inclusion.
09
              It is also tough to see that areas that
10 are being included in parts of the neighborhood
    councils have not yet been outreached to the full
12 extent by the groups claiming those areas.
              I think the brewery is an issue that has
14 to look at itself and look at what it -- what
15 Downtown would do for the rest of the community, not
16 just for the brewery. The brewery is not an
17 isolated island there. It is part of a larger piece
18 of area in Lincoln Heights and in that part of the
19 city.
20
              So for me to -- to go to the stretch of
21 having the brewery be part of the Downtown
22 Neighborhood Council is very, very hard. I don't
23 see it as a fit into that community, into that
24 length of -- of the parts that Lincoln Heights --
25 that Downtown is claiming as their boundaries.
0233
01
              I also don't see that William Meade fits
02 into Downtown. In the same fashion that Central
03 City East has a problem with representation, I would
04 believe William Meade would have the same problem.
05
              So at this point I'm willing to hear from
06 the rest of the commissioners, but the boundaries on
    -- as they have been proposed, I'm willing to accept
08 parts of the reports but not the entire reports as
09 they have come forward to us.
         COMMISSIONER STONE: Commissioner Lucente.
10
11
         COMMISSIONER LUCENTE: Thank you,
12 Mr. President.
13
              It -- it may seem as some -- as one
14 speaker today said that the -- all of the situation
15 that we're dealing with right now might be best
16 characterized as a mess in the west, but I think
17 that it can be sorted out.
18
              And I share -- based on the testimony and
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19 the staff report, I share the feeling of my fellow

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20 commissioners relative to the brewery area, that it
    should be included in -- that it's more
22 appropriately included in Lincoln Heights.
23
              I don't think that it -- that as we've
24 seen it at many other meetings, you know, having one
25 area into another neighborhood council area doesn't
0234
01 preclude neighbors from being involved with other
    neighbors, but I think this is a real stretch to be
03 included in the Downtown Neighborhood Council.
04
              Furthermore, I concur that the area north
05 of Vignes Street that we've characterized as the
    William Meade housing project area it is also
07
    seemingly not part of Downtown as I would describe
8 0
09
              But I -- I don't know whether there is
10 another neighborhood council that's being formed,
11 you know, immediately adjacent to that area that --
12 where it might be -- where it might have a better
13 fit. However, it seems that there are some
14 similarities in demographics and that would lend it
15 to being part of the Lincoln Heights area.
16
              I also concur based on the testimony today
17 and the staff report that the Historic and Cultural
18 Neighborhood Council should -- should go forth as it
19 is currently proposed, that is as indicated on this
20 map here with that area below Third Street extending
21 to Fourth Street and to include that artist area.
22
         COMMISSIONER MEMBRENO: I'm sorry, Tony. I
23 believe that the recommendation is excluding east of
    -- it's the one, the further --
25
         COMMISSIONER LUCENTE: Yeah, I don't agree with
0235
01 that.
         COMMISSIONER MEMBRENO: Okay. You agree with
03 this one?
         COMMISSIONER LUCENTE: Yes.
05
         COMMISSIONER MEMBRENO: Right. Okay. I -- I
   -- I'm sorry.
07
         COMMISSIONER STONE: No, go ahead.
8 0
         COMMISSIONER MEMBRENO: I also had a problem
09 with that area, just contiguous and putting together
10 the -- the areas of interest and of history, I had a
11 problem with that also in the -- as the way that
12 staff has recommended the -- on the boundaries, so I
13
    would concur with Tony that we look at this map as
14 the boundaries for the Historical Cultural
15 Neighborhood Council.
         COMMISSIONER LUCENTE: The -- the question that
16
17 I would raise is --
18
         COMMISSIONER MEMBRENO: If staff can identify
19 the boundaries on that, please.
20
         COMMISSIONER LUCENTE: Well, they're in the
21 application -- I believe it's in the --
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22
         COMMISSIONER MEMBRENO: Oh, the map?
         COMMISSIONER LUCENTE: Yeah. The -- for future
 2.3
 24 meetings it might be appropriate to have these maps
 25 numbered or labeled, because then we can always --
0236
 01
         COMMISSIONER MEMBRENO: Can you put a number on
 02 it as --
         COMMISSIONER LUCENTE: -- refer to those.
 0.3
 04 That's just an observation. But --
         COMMISSIONER STONE: (Inaudible).
 05
 06
         COMMISSIONER LUCENTE: -- it's currently.
 07
         COMMISSIONER STONE: Can you -- clarify for us,
 08 because the map here has --
09
         COMMISSIONER LUCENTE: Sure.
10
         COMMISSIONER STONE: On it has some colored
11 markers on it, too. So I don't know if you're
12 talking about the original --
13
         COMMISSIONER MEMBRENO: Proposed.
         COMMISSIONER STONE: Yes, the original proposal
14
 15 or the -- something that has been compromised.
         COMMISSIONER LUCENTE: Yes, I'm happy to
 17 clarify it broadly with further explanation by
18 staff. I'm talking about an area on the southern
    portion of this neighborhood council map bordered on
 19
 20 -- by Los Angeles Street, preceding down Third
 21 Street to Boyd Street and then crossing the cross --
 22 across to Omar and along Fourth Street down to
 23 Alameda Street and then on the -- proceeding south
 24 on Alameda Street to Seventh Street and bordered on
 25 the other side by the Los Angeles River.
0237
 01
              Does that help?
 02
         COMMISSIONER MEMBRENO: That's fine.
 03
         COMMISSIONER LUCENTE: Okay. The other thing
 04 that I would put -- you know, just say regarding the
 05 William Meade, I don't know if it's appropriate for
 06 us to, you know, go ahead -- it seems like a
    last-minute kind of decision to throw that into --
 07
 08 or have that included, rather, in Lincoln Heights.
 09
              But you know, I'm open to that but -- but
 10 certainly it may -- you know, maybe we want them to
    petition and really demonstrate that outreach.
 12 That's another option obviously --
13
         COMMISSIONER MEMBRENO: Fine.
         COMMISSIONER LUCENTE: -- that's available.
14
         COMMISSIONER MEMBRENO: And I think --
 15
16
         COMMISSIONER LUCENTE: I was kind of --
17
         COMMISSIONER MEMBRENO: And I think Lincoln
 18 Heights was --
 19
         COMMISSIONER LUCENTE: That's what I was kind
20 of thinking.
         COMMISSIONER MEMBRENO: -- was in accordance or
 2.1
 22 was okay with having that area.
 23
         COMMISSIONER LUCENTE: Well, we --
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24
         COMMISSIONER MEMBRENO: Is that --
25
         COMMISSIONER LUCENTE: We heard from one
0238
01 person, but as Commissioner Woods Gray indicated and
02 the maps indicate, it's a highly dense --
         COMMISSIONER MEMBRENO: Right. Correct.
0.4
         COMMISSIONER LUCENTE: -- area and it seems
05 problematic in terms of --
         COMMISSIONER MEMBRENO: So recommend a petition
06
07 of it, okay.
         COMMISSIONER LUCENTE: Yeah, so -- so the
8 0
09 proposal would be to include the two -- accept the
10 Lincoln Heights Neighborhood Council as DONE has
11 recommended --
12
         COMMISSIONER MEMBRENO: Correct.
         COMMISSIONER LUCENTE: -- and amend the
13
14 Downtown Neighborhood Council to exclude that area
15 which is -- now we're --
         COMMISSIONER MEMBRENO: Alameda. (Inaudible).
16
17
         COMMISSIONER LUCENTE: We're over on another
18 one. We're over on that map now.
         COMMISSIONER STONE: We don't have a motion in
20 front of us yet. We're just --
         COMMISSIONER MEMBRENO: No. It's just --
2.2
         COMMISSIONER LUCENTE: We're just going
23 through, just outlining it.
         COMMISSIONER STONE: -- not going through --
         COMMISSIONER LUCENTE: But to exclude the area
25
0239
01 which would be north, I believe, of the 101 --
02
         COMMISSIONER MEMBRENO: Correct.
03
         COMMISSIONER LUCENTE: -- Freeway.
04
         COMMISSIONER MEMBRENO: It's right in that
05 little area.
         COMMISSIONER LUCENTE: Yeah. That's correct.
07
         COMMISSIONER WOODS GRAY: Mr. President, I
08 would support petitioning that community also so
    that we can move ahead. And the -- it would not
09
10 help -- hurt to petition that community to be clear
11 on who they would like to represent them.
12
         ROMERO: Point of clarification.
13
         COMMISSIONER MEMBRENO: I'm sorry. The only
14 concern that I would have with the entire area is
15 because Twin Towers is there along with -- what's
16 the other -- the other facilities there.
17
         COMMISSIONER STONE: Uh-huh.
18
         COMMISSIONER MEMBRENO: No, lower.
         COMMISSIONER STONE: But we're looking between
20 the 101 and Vignes, the MTA headquarters.
        COMMISSIONER MEMBRENO: Right. So could those
22 be --
         COMMISSIONER STONE: And Union Station is in
2.3
24 that area as well; is that correct?
25
        COMMISSIONER MEMBRENO: Okay. Right.
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0240
01
         COMMISSIONER LUCENTE: Right.
02
         COMMISSIONER STONE: Right. That --
         COMMISSIONER MEMBRENO: Okay.
04
         COMMISSIONER STONE: Right.
05
         COMMISSIONER WOODS GRAY: Would there be some
06 concern, however, because the other group did
07 provide information saying it was very difficult to
08 make contact? Should that be considered in just
09 placing them?
         COMMISSIONER MEMBRENO: Are jails considered
11 shares?
         COMMISSIONER STONE: No.
12
13
         MR. MARTINEZ: You have to make the finding, I
14 believe, that it's a -- hold on -- it's a landmark
15 of --
16
         COMMISSIONER STONE: It is public serving.
17
         MR. MARTINEZ: What is it?
         COMMISSIONER MEMBRENO: Public service
18
19 landmark.
20
         MR. MARTINEZ: If you could find -- the example
21 or the language that you're given with respect to
22 what would be considered shared under the plan is --
23 hold on one second --
         COMMISSIONER WOODS GRAY: Did anyone request to
25 share it?
0241
01
         COMMISSIONER LUCENTE: I don't believe so.
0.2
         COMMISSIONER STONE: While the city attorney is
03 looking for that, can I ask staff to clarify
04 something for me?
05
              I think we have a couple -- when we're --
06 this issue, we're talking about anything north of
07 the 101, possibly carving out from an application
08 and not certifying a portion, excluding the brewery.
09 We're talking about between the river and the 101.
10 I see Vignes as a dividing line there.
         ROMERO: Fine.
11
12
         COMMISSIONER STONE: And that would be my --
13 and my feeling, and staff, is there any -- is there
14 a residential area southwest of Vignes?
15
         ROMERO: I'd have to defer.
         COMMISSIONER LUCENTE: He -- I think it was
16
17 characterized in the comments that it was primarily
18 small businesses, i.e., bail bonds and the jail.
19
         COMMISSIONER STONE: And the MTA headquarter
20 and Union Station.
         COMMISSIONER LUCENTE: That is -- no, that is
22 -- the MTA Gateway building is in the Historical
23 Cultural; is that correct, Marco?
         MARCO PEREZ: (Inaudible).
25
         COMMISSIONER LUCENTE: The -- yeah, does that
0242
01 answer your question?
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02
         MARCO PEREZ: I think they would be in the
03 Historical (inaudible).
         COMMISSIONER LUCENTE: Right. 'Cause it kind
04
05 of -- (inaudible) kind of jogs a little bit down
06 there by the 101.
07
         COMMISSIONER STONE: Right.
8 0
         COMMISSIONER WOODS GRAY: Uh-huh.
         ROMERO: A point of clarification on the -- the
09
10 artist district and the industrial district over
11 here. The -- we -- in the staff report we talked
12 about a compromise that was supported both by
13 Historical Cultural and by the Downtown, and that
14 compromise was that Little Tokyo would go with
15 Historic Cultural and the artist district would go
16 with Downtown.
17
              Commissioner, when the -- when the lines
18 were being drawn did you intend to put the artist
19 district in Historic Cultural?
         COMMISSIONER LUCENTE: Yes.
2.0
21
         ROMERO: You did?
         COMMISSIONER LUCENTE: Yes.
22
         ROMERO: Contrary to the compromise?
2.3
         COMMISSIONER LUCENTE: Yes.
         ROMERO: Okay.
25
0243
01
         COMMISSIONER MEMBRENO: I think one of the --
02 one of the main reasons that I see that that's more
03 of a contiguous and whole piece of historical, as
04 opposed to breaking it down and trying to leave it
05 just as one piece, you know, holding on to the rest
    of the -- the area.
07
         ROMERO: And --
8 0
         COMMISSIONER MEMBRENO: Plus, I think there's
09 also enough -- enough history on the other side to
10 make it one whole piece. For me, it just doesn't
11 work to have Little Tokyo just standing alone and
12 going with Historical unless it goes with the rest
   -- with the rest of the area.
13
14
         COMMISSIONER STONE: Okay. We have several
15 issues at play here. I quess we have -- we can do
16 -- right, time being a concern, but we can do a
17 number of things. We can --
18
         MICHAEL GAGAN: Mr. President, sorry to
19 interrupt.
              The Downtown Los Angeles Neighborhood
2.0
21 Council is going to --
22
         COMMISSIONER STONE:
                             (Inaudible).
23
         MICHAEL GAGAN: -- respectfully withdraw its
24 application.
25
         UNIDENTIFIED SPEAKER: Well, excuse me.
0244
01
         UNIDENTIFIED AUDIENCE MEMBER: How dare you.
02
         COMMISSIONER STONE: Okay. Please. Okay,
03 let's put --
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04
         MICHAEL GAGAN: The price is --
05
         COMMISSIONER STONE: Please. Please --
06
         UNIDENTIFIED AUDIENCE MEMBER: You're right on.
07
         COMMISSIONER STONE: Please, let's stop with
0.8
    the public comment.
         UNIDENTIFIED AUDIENCE MEMBER: How dare you.
10
         COMMISSIONER STONE: We're still -- we're
   still deliberating here and I don't think we've made
11
    any final decision yet.
13
         MR. MARTINEZ: And -- and the process, in
14 addition, would be to petition for decertification.
         COMMISSIONER STONE: We -- we can take the -- I
15
16 guess the less controversial issue, which is the
17 brewery and the Lincoln Heights Neighborhood Council
18 and look at that one first.
19
              We have the Lincoln Heights Neighborhood
20 Council, then we have Downtown, which we haven't --
21 we have to be unanimous today to do anything. I
22 think the -- the issue that could be the sticking --
    the Little Tokyo or the arts district sounds like
24 that can be worked out. I think we have a major
25 issue with Central City East and Skid Row, and I'd
0245
01 -- I'd like to hear where I guess some of the -- the
02 rest of the commission is.
              I -- from the testimony I've heard today I
04 think there is a split. I'm of the belief that the
05 Central City East group, the Skid Row group, should
06 be part of the larger Downtown Los Angeles
07 Neighborhood Council.
8 0
              And I'm willing to -- to hear what others
09 have to say, if that's a -- if that's a sticking
10 point that can't be resolved, then it can't be
11 resolved and we can't -- then we certainly can't do
12 anything on the Downtown Los Angeles Neighborhood
13 Council today.
14
              I'm -- I'm impressed by the fact that --
15 that several residents of the Skid Row area, of the
16 Central City East area, did testify in support of
17 the Downtown Los Angeles Neighborhood Council, that
18 they -- that area has seats on the board. And
19
    whether that goes far enough, I don't know.
20
              But it's also -- also possible for us to
21 discuss whether there is just some language, some
22 intent that we would like to impress upon the
23 applicant that if they are not -- if that group is
24 not receiving adequate representation, then we will
    -- that -- that we'll be able to take another look
0246
01 at that and look at some type of carve-out.
              Now, I'm not sure whether we have the
03 ability to do that without the Downtown council
04 coming back to us and voluntarily requesting it.
05
              Anyway, I'd like to hear what some of the
```

06 others on our commission have to say on that issue 07 in particular. 08 COMMISSIONER MEMBRENO: I don't think staff was 09 able to give us numbers in that particular area in 10 terms of the representation -- I'm sorry, in terms 11 of the residents in that area, in that carved-out 12 area. ROMERO: We're perfectly willing to -- we're 13 14 talking about Central City East, correct? 15 COMMISSIONER MEMBRENO: The identified area, 16 correct. 17 ROMERO: I'm willing to take the estimates of 18 the organizing group in that area, and they gave it 19 as 11,000. 20 MR. MARTINEZ: Darren Martinez, deputy city 21 attorney. 22 Really, also one of the other additional 23 factors that you would want to make with respect to 24 any carve-out of the Central City East area was that there would not have been any outreach or, you know, 0247 01 a rational description for the drawing of the 02 boundaries presented by the Downtown Neighborhood 03 Council in order to make the findings to exclude 04 this area from the -- the larger neighborhood, or 05 Downtown neighborhood area council. COMMISSIONER STONE: Could you repeat that, 06 07 please? Can you wind the clock back to three 08 o'clock and repeat that? MR. MARTINEZ: The neighborhood -- the Downtown 09 10 neighborhood council has presented this boundary 11 that includes the Central City East area within it. If you're going to want to consider the 13 facts necessary to reach the decision that you may 14 want to exclude that area, you'd also want to 15 include within those factual findings reasons for 16 insufficient outreach, perhaps that there's not a 17 rational description for drawing the boundary in 18 such a way. 19 COMMISSIONER STONE: So provide findings 20 (inaudible)? 21 MR. MARTINEZ: Yes. 22 COMMISSIONER LUCENTE: My -- my feeling on 23 this, you know, I have very mixed feelings about the Central City East area because I think the most 25 compelling argument to keep it in the -- the 0248 01 Downtown Neighborhood Council is that I -- I -- is the argument that was mentioned by numerous speakers 03 that, you know, to isolate this area that has been 04 isolated, you know, in the past is not the way to --05 the path to, you know, greater empowerment of this 06 area and that they could be more -- achieve more 07 through this greater entity.

8 0 I think that, you know, I -- I would lean 09 towards including them in the Downtown Neighborhood 10 Council because, frankly, the -- you know, it will -- by excluding them, it will create very much of a 12 situation of the rich and the poor. And I'm not 13 sure that that's good for Downtown. 14 I think that Downtown, that based on this 15 application, that they recognize that this is a core part of the Downtown area and, you know, it is. 17 they've addressed it through having -- in their 18 bylaws by having at large homeless representative. 19 We had several speakers testify that --20 you know, that -- that outreach has occurred. And 21 also, you know, I noted the number of speakers that 22 opposed that, but several of those were numerous 23 speakers that supported separating Central City 24 East, were from Lincoln Heights area and several 25 were also representatives of these same 0249 01 organizations. 02 COMMISSIONER MEMBRENO: I think also, there was 03 -- based on the maps and the plotting that staff did in terms of signature collecting and all that, it is obvious that there was large outreach done in that 06 area. 07 So I mean, I'm comfortable leaving it in 08 there with the recommendation that they work with 09 the leadership that is evolving out of the central 10 city to see how they can come to agreement on the 11 concerns and the needs for that area. 12 COMMISSIONER STONE: I think another concern 13 that I would have about it, just based on what 14 Romero said about Central City East being 15 stand-alone, would be the -- the size. If it is 16 really 11,000 in residents, that is definitely too 17 small a number -- small a number for the plan for us 18 to be able to certify on its own. COMMISSIONER WOODS GRAY: And I agree with you 19 20 that 11,000 probably would be a difficult number. 21 It's smaller than the Charter or the ordinance calls 22 for. And hearing all of the other 24 commissioners' concerns, I would certainly be 25 willing to allow that area to continue with the 0250 01 Downtown area and ask for a -- some kind of a report 02 back from them if there is not -- if there is some 03 concerns from that particular section of the 04 Downtown Neighborhood Council that we would need to 05 know about. COMMISSIONER STONE: And would that be a report 07 from -- from staff or from the neighborhood council? 08 COMMISSIONER WOODS GRAY: I would even -- I'd 09 like for the central city area people to come to a

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10 meeting and sign a paper to us, address us, if there
11 is a concern about what's going on in that
12 particular neighborhood council, just as every other
13 citizen has a right to do. I just want to make sure
14 they know that they can do that if they have
15 concerns. We are -- we meet regularly. And there's
16 always an area for public forum.
         COMMISSIONER STONE: Okay. Well, it that seems
17
18 to at least have some resolution on that issue.
19
              The -- I think I'd recommend that we go
20 forward with the Lincoln Heights -- Lincoln Heights
21 Neighborhood Council first. I think we're going to
22 have to do -- or city attorney, correct me if I'm
23 wrong -- we're going to have to do separate motions
24 for each of these (inaudible).
25
         MR. MARTINEZ: It would be preferable, yes.
0251
         COMMISSIONER STONE: I would recommend that we
0.1
02 do then the Lincoln Heights first and then deal with
    the remaining issues we have with Downtown and
04 Historic Cultural.
         COMMISSIONER LUCENTE: So Tammy, you're the
06 commissioner in that area. You want to --
         COMMISSIONER MEBRANO: Sure. Let's see. I
07
08 move to adopt the findings on the staff report and
09 to move to certify the applicant, that's the Lincoln
10 Heights Neighborhood Council, and approve the
11 boundaries presented in the final staff report
12 boundary determination, and I believe that you list
13 there, Romero, the new boundaries as they were
14 carved out on that map.
15
              Correct?
16
         COMMISSIONER STONE: Yeah, (inaudible).
17
         COMMISSIONER MEMBRENO: Okay. Which will
18 result in the inclusion of the brew --
         ROMERO: -- to -- to deal with this as
20 separate, correct? So you're -- you're simply
21 approving the boundaries as -- as the -- for Lincoln
22 Heights as the Department recommended, correct?
2.3
         COMMISSIONER STONE: With the modifications you
24 outlined --
         ROMERO: Right.
25
0252
01
         COMMISSIONER STONE: -- relative to shared --
         COMMISSIONER MEMBRENO: On that one, of the
02
03 shared.
04
         COMMISSIONER STONE: -- boundaries and the
05 Arroyo Seco.
06
         ROMERO: Correct.
07
         COMMISSIONER MEMBRENO: Correct. The other
08 piece of the William Meade will come back --
         ROMERO: Okay. Got you.
09
10
         COMMISSIONER MEMBRENO: -- on the downtown.
11
         ROMERO: Yeah.
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12
         COMMISSIONER STONE: And then also, that we're
13 amending the boundaries to delete any reference to
14 shared boundaries until we've reached that issue
15 with respect to any type of certification. And I
16 believe you will accept the applicant's consent
17 during the public hearing to amend that that bylaw
18 revision be made.
         MR. MARTINEZ: And Commissioner Membreno, you
19
20 were talking about to the boundaries to the L.A.
21 River as proposed --
22
         COMMISSIONER MEMBRENO: Correct.
23
         MR. MARTINEZ: -- by staff.
         COMMISSIONER MEMBRENO: Correct.
25
         MR. MARTINEZ: Thank you.
0253
0.1
         COMMISSIONER STONE: Then we have a motion and
02 a second. Any additional discussion?
03
              We will put the question to the
04 commission. Commissioner Lucente.
         COMMISSIONER LUCENTE: Yes.
         COMMISSIONER STONE: Commissioner Woods Gray.
06
07
         COMMISSIONER WOODS GRAY: Yes.
         COMMISSIONER STONE: Commissioner Membreno.
08
09
         COMMISSIONER MEMBRENO: Yes.
         COMMISSIONER STONE: And I, Commissioner Stone,
10
11 yes.
12
              We now have the 25th neighborhood
13 council.
              Okay. We still -- obviously we still have
15 work to do, and now that we're down to two
16 remaining, the boundaries issues are probably a
17 little easier to resolve.
18
              I yield to Commissioner Woods Gray.
19
         COMMISSIONER WOODS GRAY: I move that the
20 commission certify the Historical Neighborhood
21 Council as proposed in the map presented --
22
         ROMERO: That's number one.
23
         COMMISSIONER WOODS GRAY: Number one, map
24 number one. And -- I'm not sure about the findings
25 of the Department -- adopt the findings of the
0254
01 Department if they include the boundaries as
02 proposed in this motion and were -- were there any
03 amendments to the --
         ROMERO: There were some amendments.
04
05
         COMMISSIONER WOODS GRAY: And also change
06 bylaws to reflect any amendments that are
07 necessary.
0.8
         COMMISSIONER STONE: Romero.
         COMMISSIONER WOODS GRAY: Were there any
10 amendments?
         COMMISSIONER STONE: Romero.
11
12
         COMMISSIONER WOODS GRAY: We are on this map.
13
         ROMERO: I'm sorry. We were talking about the
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14 -- the Historical Cultural, correct?
         COMMISSIONER STONE: Yes.
15
         COMMISSIONER WOODS GRAY: Right.
16
17
         ROMERO: The recommendation of the department
18 that the boundaries that was in the staff report did
19 not include the artist district, so I think that one
20 of the things --
         COMMISSIONER WOODS GRAY: We'll modify the
2.1
22 findings --
23
         ROMERO: Right.
         COMMISSIONER WOODS GRAY: -- to reflect the
25 proposed map, number one, and adopt any other
01 findings that do not affect those boundaries.
         ROMERO: Okay. And I again defer, the Downtown
03 -- the Downtown had included that in their
04 boundaries, so I believe that we want to modify the
05 staff's findings to reflect that the allocation of
06 the artist district to Historical Cultural provides
07 for a more perfect expression of a compact and
08 contiguous --
         COMMISSIONER WOODS GRAY: In the Historical.
         ROMERO: -- in the Historical. So that would
10
11 be a finding that you would -- you would want to
12 adopt.
         COMMISSIONER WOODS GRAY: Yes, be based upon
14 that. That's very true.
15
         ROMERO: And that, of course, then would
16 override -- I assume in your discussion the compact
17 and contiguous is deemed at a higher level than the
18 stakeholder -- any stakeholder information that you
19 received about the -- the artist district voting to
20 be in Downtown. Correct?
         COMMISSIONER WOODS GRAY: And the Historical.
         COMMISSIONER MEMBRENO: And the Historical.
23
         COMMISSIONER LUCENTE: Yeah. And I think
24 testimony -- well, first of all, I'll second that
25 motion.
0256
         COMMISSIONER MEMBRENO: Second.
01
02
         ROMERO: Okay.
03
         MR. MARTINEZ: And just one further
04 clarification. Was that area that has been added,
05 was that presented within the initial applicant's
06 boundary proposal?
07
         ROMERO: Yes, it was.
08
         MR. MARTINEZ: Okay.
         COMMISSIONER WOODS GRAY: It's on the map that
10 I have. It's on the --
         COMMISSIONER STONE: Then we want to
12 (inaudible) a finding --
         COMMISSIONER WOODS GRAY: It's on the proposed
13
14 map that I had.
15
         COMMISSIONER MEMBRENO: It's also on the
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16 application, I believe.
         COMMISSIONER STONE: All right. All right.
17
18
         COMMISSIONER WOODS GRAY: From the packet that
19 we got, Romero --
20
         ROMERO: Yeah.
21
         COMMISSIONER WOODS GRAY: It's on the
22 application.
         ROMERO: Just one quick -- yes. Historic
24 Cultural did submit an application with the artist
25 district included, correct?
0257
01
              Yeah, yes, they did.
02
         COMMISSIONER MEMBRENO: They do not exclude it
03 (inaudible). Okay.
         ROMERO: The application as received did
05 include the artist district.
06
         COMMISSIONER STONE: That's correct.
07
         COMMISSIONER MEMBRENO: So I will second.
08
         COMMISSIONER STONE: And we have a motion and a
09 second.
10
              Commissioner discussion. Romero, can I
11 ask during some discussion just maybe return to the
12 map and clarify the artist district -- clarify the
13 entire artist district, which goes all -- from the
14 101 --
15
         COMMISSIONER MEMBRENO: To seventh.
16
         COMMISSIONER STONE: -- to Seventh Street.
17 Alameda to the L.A. River. And the area that was
18 proposed as a compromise that under the staff report
19 the staff recommended we include within Downtown
20 area -- oh, the artist district, all of the artist
21 district.
22
         ROMERO: All of the artist district.
23
         COMMISSIONER MEMBRENO: Correct.
         COMMISSIONER STONE: From the -- okay.
25
         ROMERO: But in the testimony that we heard, we
0258
01 heard of the historical institutions and landmarks
02 and other things that were in there that were a part
03 of Little Tokyo.
         COMMISSIONER STONE: I guess my concern is that
05 -- is that, at least in reviewing testimony, that it
06 was kind of mixed on that.
07
         COMMISSIONER LUCENTE: Well --
         COMMISSIONER STONE: There was support --
0.8
09
    support for including that part within downtown and
10 support for including that within Historic Cultural.
         COMMISSIONER LUCENTE: Yeah, Mr. President,
12 that -- that is precisely the issue in my view, is
13 that it was not clearly demonstrated that that
14 compromise was, (a), clear to those people involved,
15
    (b), fully communicated to the people that were
    involved, and (c), accepted by the people involved.
17
              But setting that aside, I mean certainly
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18 that sways my testimony, but I think more important
 19 is the fact that without that area you have a -- a
 20 specific area that one would refer to as Little
 21 Tokyo extending essentially into the heart of
 22 downtown and bisecting the Downtown area.
 23
              And -- and to me that doesn't -- you know,
 24 I don't think that the findings of the staff support
 25 making that -- making that change. I mean, either
0259
 01 it's part of Downtown or it isn't, but the
 02 attributes seem to support that this area is
 03 specific and notably different from the other area
 04 of Downtown.
 05
         COMMISSIONER STONE: I guess the -- the only --
 06 the only other option that we've done in
 07 circumstances similar to this -- and nothing is the
 08 same, certainly -- would be to consider a carve-out
 09 and -- and exclude for a certain time a portion with
 10 the idea that both groups would spend more time with
 11 outreach to that area, I guess what we're looking at
 12 as the artist's area.
              We certainly don't want it to be a -- if
14 we did something like that, and I don't know if
15 there's any kind of support for that on the
16 commission, but that we would want to limit it to a
17 date certain.
         COMMISSIONER MEMBRENO: Well, I think there
 18
 19 were numerous dialogues in terms of -- of Downtown
 20 and Historical in terms of that area. And the
 21 decision, it doesn't seem to me that it's strong
    either way in terms of one showing more support than
 23 the other. I think those discussions were not
 24 articulated by either group that one group had claim
 25 to it much stronger than the other.
0260
 01
         COMMISSIONER STONE: I agree with that, and
 02 that's -- that's my quandary, which is if no one --
    no one's made a -- the strongest -- a strong showing
 04 -- I think they both made strong showings, but then
 05 what are we to do with that area in question?
         COMMISSIONER MEMBRENO: Well, again, you know,
 07 I think we're basing our recommendation on what the
 08 plan has asked us to do to look at the contiguous
 09 and compact and historical parts of how a community
10 needs to be put together. And based on that, I
 11
    think those boundaries that we have described for
12 historical or -- or based on their application makes
13 sense.
         COMMISSIONER STONE: Yeah, basically by -- by
 15 excluding it you create a question --
16
         COMMISSIONER MEMBRENO: Right.
17
         COMMISSIONER STONE: -- of compactness and --
 18 whatever that word is.
 19
         COMMISSIONER LUCENTE: Contiguousness?
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20
         COMMISSIONER WOODS GRAY: Yeah, contiguous and
21 historical.
2.2
         COMMISSIONER STONE: Continuant.
23
         COMMISSIONER LUCENTE: Continuity.
24
         COMMISSIONER MEMBRENO: I think there's a
25 motion on the table.
0261
01
         COMMISSIONER STONE: Yeah, we have a motion and
02 a second and we're in discussion. Any more
03 discussion?
04
         COMMISSIONER WOODS GRAY: No. I support
05 Commissioner Membreno's comment and Commissioner
06 Lucente, and I think we're ready to vote so I can go
07 to (inaudible).
         COMMISSIONER STONE: Okay. I will then poll
09 the commission. And this is -- the question is
10 on --
11
              Actually, city attorney, if you could read
12 the -- or tell us what we're voting on again.
         COMMISSIONER WOODS GRAY: You're the
14 secretary?
         MR. MARTINEZ: Romero. We'll have the
16 representative from DONE do that.
         ROMERO: Okay. This is Historic Cultural. I
17
18 believe that you wish to make a finding based upon
19 -- on the fact that you -- you wish to make a
20 finding that based upon Historic Cultural as well as
21 the fact that the area is -- is named in community
22 plans, that it meets one of the requirements to come
23 in under 20,000.
              You wish to make a finding to modify the
25 staff's report regarding the boundaries and to -- to
0262
01 find that the inclusion of the arts district with
02 the balance of Historic Cultural makes for a more
03 compact and contiguous neighborhood council in
04 accordance with the intent of the plan.
05
         COMMISSIONER MEMBRENO: Correct.
06
         COMMISSIONER STONE: Okay. The --
07
         ROMERO: Then the last one, of course, is to
08 advise the applicant to modify bylaws and -- in
09 agreement with the commission's findings.
         COMMISSIONER MEMBRENO: And that would not be
11 on boundaries, because I believe -- well, yes, that
12 will be on bylaws as well.
13
         COMMISSIONER STONE: Okay. Then --
14
         ROMERO: The other would be that you wish to
15 modify the staff's boundary of the Little Tokyo area
16 to -- to have the boundary reflect as it was
17 submitted by the Historic Cultural, which would put
18 the boundary at Fourth Street.
         COMMISSIONER MEMBRENO: At Fourth Street and
20 also Vignes, I believe, correct?
21
         COMMISSIONER STONE: We -- we've outlined that
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22 by street name, I believe.
         ROMERO: Okav.
24
         COMMISSIONER MEMBRENO: It was (inaudible).
25
         ROMERO: Those are -- each one of those are
0263
01 contrary to the staff's report, so we call them out
02 as -- as a change.
         COMMISSIONER MEMBRENO: Yes.
04
         COMMISSIONER STONE: Okay. With that, I will
05 put the question to the commission on the motion.
              Commissioner Lucente.
07
         COMMISSIONER LUCENTE: Yes.
8 0
         COMMISSIONER STONE: Commissioner Woods Gray.
09
         COMMISSIONER WOODS GRAY: Yes.
10
         COMMISSIONER STONE: Commissioner Membreno.
11
         COMMISSIONER MEMBRENO: Yes.
12
         COMMISSIONER STONE: And I will vote yes as
13 well.
14
              We -- congratulations. We now have number
15 26, the Historic Cultural Neighborhood Council.
16
              Okay. The last remaining issue we have is
17 the Downtown Los Angeles Neighborhood Council, and
18 I'll recognize Mr. Gagan.
         MICHAEL GAGAN: Yeah, we respectfully request
19
20 not to be certified.
         COMMISSIONER STONE: Is the public testimony
22 closed?
23
         MICHAEL GAGAN: The balkanization of --
24
         COMMISSIONER STONE: I recognize -- I
25 recognized him.
0264
01
         MICHAEL GAGAN: The balkanization of downtown
02 after the good faith effort of so many people over
03 such a long period of time to simply be undone by
04 the apparently, you know, ad hoc processes used by
05 the commission undermines the entire effort, so I
06 respectfully request that you not certify the
07 Downtown Los Angeles Neighborhood Council.
8 0
         COMMISSIONER STONE: Okay. The --
09
         COMMISSIONER STONE: I -- I'd like to ask the
10 city attorney --
11
         UNIDENTIFIED SPEAKER: You're not certified yet
12 anyway.
         COMMISSIONER STONE: -- the city attorney
14 whether we have --
15
         UNIDENTIFIED SPEAKER: (Inaudible) certified.
16
         MR. MARTINEZ: They're making a request that
17 you not certify them. If you wish to not certify
    them, you would make it based on the facts that have
18
19 been presented to you.
20
              If the applicant is indicating in any way
21 that there's an attempt to withdraw the application,
22 that's not true. I doubt it highly unlikely that
23 this one individual can speak for the entire
```

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24 Downtown area, much less the provisions in the
 25 bylaws that are being considered for the process as
0265
 01 to how it's to be done.
 02
         UNIDENTIFIED AUDIENCE SPEAKER: Our point
 03 exactly.
 04
         MICHAEL GAGAN: Mr. President, we're --
 05
         MR. MARTINEZ: There is -- there is a process.
 06 There is a process for withdrawing the application
 07 that needs to be followed.
 08
         COMMISSIONER STONE: I'd like to ask the public
 09 to please stop with the comments. We're listening
 10 to the city attorney's advice.
11
         MR. MARTINEZ: Or the applicant during public
12 comment can request any type of reconsideration of
13 the decision. Right now, however, the public
 14 comment has been closed. This is for
 15 commissioner --
         UNIDENTIFIED AUDIENCE SPEAKER: You're
16
 17 destroying the city of Los Angeles today.
         UNIDENTIFIED AUDIENCE SPEAKER: You people have
 18
 19 ruined this city.
 20
         MR. MARTINEZ: Right now this is for --
         COMMISSIONER STONE: Please, I've --
 2.1
 2.2
         UNIDENTIFIED AUDIENCE SPEAKER: We have
 23 (inaudible).
         COMMISSIONER STONE: All right. If -- I'd like
 25 to please --
0266
 01
         UNIDENTIFIED AUDIENCE SPEAKER: (Inaudible)
 02 neighborhood council.
 03
         COMMISSIONER LUCENTE: Should we move to
 04 adjourn?
         UNIDENTIFIED AUDIENCE SPEAKER: -- for
 0.5
 06 political purposes and the (inaudible).
         COMMISSIONER WOODS GRAY: Better make his
 08 motion so we can start (inaudible) and then they'll
09 have (inaudible).
 10
         COMMISSIONER STONE: I'd like to recognize --
 11 I'd like to recognize Commissioner Lucente.
         COMMISSIONER LUCENTE: Thank you,
 13 Mr. President. I would like to move certification
 14 of the Downtown Los Angeles Neighborhood Council
 15 application to adopt the findings of the department
16 but to modify the findings of the department to
 17
    support modified boundaries as we -- as we have
18 outlined that are consistent with the boundaries of
19 the Historic Cultural and neighborhood councils.
         UNIDENTIFIED AUDIENCE SPEAKER: (Inaudible).
 2.0
 21
         COMMISSIONER LUCENTE: So I have made a motion.
 22
         COMMISSIONER STONE: All right. Please.
 23 Please.
 24
         UNIDENTIFIED AUDIENCE SPEAKER: (Inaudible).
         COMMISSIONER STONE: Please. We're --
 25
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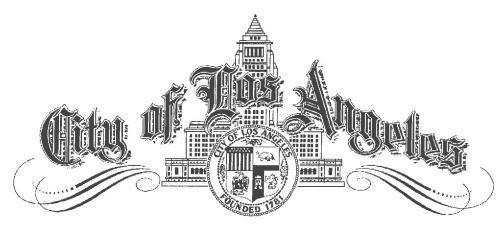
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0267
01
         UNIDENTIFIED AUDIENCE SPEAKER: We're doing
02 (inaudible) and we're going to speak there.
         UNIDENTIFIED AUDIENCE SPEAKER: (Inaudible).
         COMMISSIONER STONE: We have a motion on the
05 table.
06
         UNIDENTIFIED AUDIENCE SPEAKER: (Inaudible).
07
         COMMISSIONER MEMBRENO: Second. Second.
08
         COMMISSIONER STONE: We have a second. Is
09 there any more commissioner comment?
         COMMISSIONER MEMBRENO: No.
         COMMISSIONER STONE: There's no more
11
12 commissioner comment.
13
              Okay. I -- I put -- put the question --
14 staff.
15
              Excuse me. Excuse me.
16
              Romero.
17
              Excuse me. I'd like to -- I'd like to ask
18 staff to please -- I'd like to ask staff to please
    come up and tell us what the -- what the motion --
20 reiterate for us what the motion is that we're
21 approving, or voting to --
         ROMERO: You would be approving to adopt the
2.2
23 findings in the staff report with the exception of
24 that -- the findings regarding boundaries, and you
25 would be modifying the -- the recommended boundaries
0268
01 to exclude the area that -- known as the artist
02 district, and to -- to exclude -- I'm not sure, was
03 there a decision made on the area north of the 101?
         COMMISSIONER LUCENTE: Yes. (Inaudible).
05
         ROMERO: Okay. To exclude the area north of
06 the 101 and to -- let me see here. I think that's
   it -- and to advise the applicant to amend their
08 bylaws to reflect the neighborhood council as
09 determined by the commission.
10
         COMMISSIONER MEMBRENO: Thank you. Okay.
11 Okay.
12
               (Inaudible)
13
         COMMISSIONER MEMBRENO: Okay.
         COMMISSIONER STONE: Okay. Thank you, staff.
15 I'll put the question to commission on that motion.
16
              Commissioner Lucente.
         COMMISSIONER LUCENTE: The question is? I'm
17
18 sorry.
19
         COMMISSIONER STONE: The motion is to approve
20 the Downtown Los Angeles Neighborhood Council.
         COMMISSIONER LUCENTE: Yeah, and I think I'd
22 like to point out that -- that the -- there are two
23 boundary areas that -- that are different as
24 proposed. One is that area north of the 101 Freeway
25 which remains in question and so for further
0269
01 discussion and petition by residents, businesses or
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02 other stakeholders in that area.
              And secondly, I am not modifying the
 03
 04 boundaries to exclude the Central City East area,
 05 otherwise known as Skid Row.
         COMMISSIONER STONE: You are not.
 07
         COMMISSIONER LUCENTE: Not.
08
         COMMISSIONER STONE: Right. So Central City
09 East would be included within the downtown
10 Los Angeles Neighborhood Council.
         COMMISSIONER LUCENTE: Yes.
11
12
         COMMISSIONER STONE: And then we'll put the
13 question.
         UNIDENTIFIED AUDIENCE SPEAKER: This is a vote
15 for succession. We're taking -- we're taking this
16 experience to everyone who tries to seek
17 (inaudible).
18
         COMMISSIONER STONE: We will now -- the
19 commissioners will now vote on the motion.
              Commissioner Lucente.
 2.0
 21
         COMMISSIONER LUCENTE: Yes.
         COMMISSIONER STONE: Commissioner Woods Gray.
 22
 23
         COMMISSIONER WOODS GRAY: Yes.
         COMMISSIONER STONE: Commissioner Membreno.
 25
         COMMISSIONER MEMBRENO: Yes.
0270
01
         COMMISSIONER STONE: And I will vote yes as
 02 well. We've now voted to certify the Downtown
 03 Los Angeles Neighborhood Council and --
         UNIDENTIFIED AUDIENCE SPEAKER: (Inaudible)
 05 certified racism.
         COMMISSIONER WOODS GRAY: And central city.
 07
         UNIDENTIFIED AUDIENCE SPEAKER: That's what you
 08 did.
09
         COMMISSIONER STONE: Including the Central City
10 East area.
11
              We have -- we have other things on the
12 agenda today as well. I think I'd recommend that we
13 take a -- a brief two-minute break and then --
 14
         COMMISSIONER WOODS GRAY: Mr. President,
 15 Mr. President, could we --
         COMMISSIONER LUCENTE: I'm out of here.
 17
         COMMISSIONER WOODS GRAY: Oh, okay. He has to
18 go. We don't have decisions to make, do we?
         COMMISSIONER STONE: We're going to take a
 20 two-minute break, and then -- then we'll return with
 21 item number 4.
 2.2
         COMMISSIONER WOODS GRAY: It a voting issue?
         COMMISSIONER MEMBRENO: Well, for public
 24 comment do we need a quorum?
 25
         MR. MARTINEZ: Yeah.
0271
01
         COMMISSIONER STONE: We have one -- we were
02 going to go to number -- number six, public
03 comment. We have -- do we need a quorum for that?
```

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04
         COMMISSIONER WOODS GRAY: You have to have a
05 quorum for public comment?
06
         MR. MARTINEZ: Yes. Yes, it -- we -- we --
07
         COMMISSIONER STONE: Then Mr. Brink has waited
08 -- he submitted a card and he's --
         MR. BRINK: Seven and a half hours.
10
         COMMISSIONER STONE: So please, please,
11 Mr. Brink, go ahead with your comment.
12
         MR. BRINK: They're very simple. You don't
13 need a quorum for it.
14
              The Northridge Community Council has
15 delivered you a letter dated yesterday that demands
16 that you put our application on the next meeting for
17 certification. You illegally removed it on 3/19.
18
              We went forward and made some minor
19 changes in our bylaws. We incorporated as a
20 compromise the exact language giving our
21 stakeholders the rights quaranteed in the Charter to
22 determine to the extent possible the actions of the
23
    council.
24
              I get an e-mail that came back that said
25 well, that's problematic. That is too much
0272
01 authority to grant it.
02
              You failed your 10-day period. We want to
03 be on the 7th on the agenda for an up/down vote by
04 your board, commission, without a report as called
05 for in the plan. If you vote for us, we'll accept
06 it. If you vote no, we'll go to the city council.
    If they vote no we'll go to a file a mandamus to go
08 forward.
09
              We are tired. We are six months into the
10 process and we've been sandbagged and not empowered.
11 And frankly, today, the episode I just witnessed
12 does not exactly make me feel great about the
13 process of empowerment in Los Angeles.
              As you know I am a thorough
15 successionist. And I see I've got a bunch of
16 support today for the idea.
17
              But put us on for the 7th, give us a vote
18 up or down for the Northridge council, because you
19 have no authority whatsoever to pull us off on the
20 3/19.
21
              Our application isn't incomplete. It's
22 some of your staff doesn't like it, and that's what
23 they intend to do, is to sandbag us. So if we're
24 not on the 7th you will not like our next step.
25
              Thank you.
0273
01
         COMMISSIONER STONE: Thank you very much.
              Commissioner comment? I'm assuming that
03 we've -- we've -- anything else from the commission
04 today?
05
              Commissioner Woods Gray.
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COMMISSIONER WOODS GRAY: I move that we
07 adjourn.
08
         COMMISSIONER LUCENTE: Thank you, Mr. Stone,
09 for your presence here today in a very trying
10 situation.
         COMMISSIONER STONE: Thank you.
11
12
         COMMISSIONER WOODS GRAY: Thank you, Mr. Stone.
13 Yes, you did a great job.
         COMMISSIONER STONE: We have a motion to a
14
15 adjourn and a second.
16
         COMMISSIONER MEMBRENO: Second.
17
         COMMISSIONER STONE: And all in favor?
18
         MR. MARTINEZ: And just a clarification, it is
19 being adjourned and continued to the next scheduled
20 meeting on May 7th, 6:30, at the Polytechnic High
21 School that is on the agenda.
22
              Or where is it?
23
         COMMISSIONER STONE: Our next meeting will be
24 held on May 7th, May 7th at the John Francis
25 Polytechnic High School. That's correct.
0274
01
              We're adjourned.
02
              Greg.
03
    ///
04 ///
05
06
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06



MICHAEL N. FEUER CITY ATTORNEY

REPORT NO. R 1 6 - 0 2 5 2
AUG 1 2 2016

REPORT RE:

DRAFT ORDINANCE ADDING A NEW SECTION 22.819 TO THE LOS ANGELES ADMINISTRATIVE CODE ESTABLISHING A PROCEDURE FOR STAKEHOLDERS TO CREATE A CERTIFIED NEIGHBORHOOD COUNCIL WITHIN THE BOUNDARIES OF ONE OR MORE EXISTING CERTIFIED NEIGHBORHOOD COUNCILS

The Honorable City Council of the City of Los Angeles Room 395, City Hall 200 North Spring Street Los Angeles, California 90012

Council File No. 12-1681

Honorable Members:

Pursuant to your request, this Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. The draft ordinance amends the Los Angeles Administration Code by adding a new Section 22.819 to establish a procedure for stakeholders to create a certified Neighborhood Council within the boundaries of one or more existing certified Neighborhood Councils.

Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the Department of Neighborhood Empowerment with a request that all comments, if any, be presented directly to the City Council when this matter is considered.

The Honorable City Council of the City of Los Angeles Page 2

If you have any questions regarding this matter, please contact Deputy City Attorney Darren R. Martinez at (213) 978-8197. He or another member of this Office will be present when you consider this matter to answer any questions you may have.

Very truly yours,

MICHAEL N. FEUER, City Attorney

By (

DAVID MICHAELSON
Chief Assistant City Attorney

DM:DRM:ac Transmittal

ORDINANCE	NO.		
	-	 	

An ordinance adding Section 22.819 to the Los Angeles Administrative Code establishing a procedure for stakeholders to create a certified Neighborhood Council within the boundaries of one or more existing certified Neighborhood Councils.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. A new Section 22.819 is added to Article 3 of Chapter 28 of the Los Angeles Administrative Code to read as follows:

Sec. 22.819. Neighborhood Council Subdivision.

- (a) **Subdivision Petition**. A stakeholder within an existing certified Neighborhood Council who desires forming a separate certified Neighborhood Council within the boundaries of one or more existing certified Neighborhood Councils shall submit a subdivision petition to the Department of Neighborhood Empowerment (Department) on a form approved by the Department. The subdivision petition shall identify five stakeholders who are authorized to receive notice and make decisions regarding the subdivision petition, including any bylaw changes. The Department shall review the subdivision petition to determine if the subdivision petition complies with the components of a Certification Application stated in Article III, Section 2 of the Plan for a Citywide System of Neighborhood Councils (Plan), except that the subdivision petition may propose boundaries that are within one or more existing certified Neighborhood Councils.
- (b) Election Approving a Subdivision. The Department shall conduct an election within the boundaries stated in the subdivision petition within 90 days of the Department's approval of the subdivision petition. A stakeholder is eligible to vote in the election if the person is a stakeholder in the proposed area for subdivision or in any of the Neighborhood Councils that are proposed for subdivision. A majority of the voters from the entire Neighborhood Council or Neighborhood Councils being subdivided must approve the subdivision in order to create the new Neighborhood Council.
- stakeholders at the election approve the subdivision, then the existing certified Neighborhood Council or Neighborhood Councils being subdivided shall amend their bylaws within 30 days of the election to reflect changes to the boundaries and, if applicable, the board structure. If the existing certified Neighborhood Council or Neighborhood Councils fail to provide amended bylaws within 30 days of the election, then the Department is authorized to amend the bylaws to reflect any changes to the boundaries or board structure. The Department shall forward the bylaws for any Neighborhood Council that is being subdivided and the subdivision petition to the Board of Neighborhood Commissioners (Commission) for approval of the bylaws.

- (d) Approval of Bylaws by the Commission. The Commission is authorized to review the bylaws for any Neighborhood Council being subdivided and the bylaws in the subdivision petition. The Commission is authorized to make any amendments to the bylaws to satisfy Article III Section 2 of the Plan. If the Commission approves the bylaws in the subdivision petition, then the Neighborhood Council listed in the subdivision petition shall be deemed a certified Neighborhood Council within the City of Los Angeles. The five stakeholders listed in the subdivision petition shall be authorized to work with the Department and make decisions regarding the initial election or selection of the newly certified Neighborhood Council's governing board. The Neighborhood Council or Neighborhood Councils being subdivided are not required to recertify and continue to remain certified after approval by the Commission of the bylaws.
- (e) **Regulations**. The Department is authorized to promulgate any further procedure, rule or regulation necessary for the administration of the subdivision process contained in this section, including, but not limited to, conducting the election for subdivision, initial election for the subdivided Neighborhood Council's governing board, eligibility for voting at any election, and placing limitations the number of subdivision petitions processed during any calendar year.

Sec. 2. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance v Los Angeles, at its meeting of	vas passed by the Council of the City of
	HOLLY L. WOLCOTT, City Clerk
	By
Approved	
	Mayor
Approved as to Form and Legality	
MICHAEL N. FEUER, City Attorney	
DARREN R. MARTINEZ Deputy City Attorney	
Date <u>\$/12/2016</u>	
File No. <u>12-1681</u>	

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ORDINANCE	NO.		
	-	 	

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	By
Approved	
	Mayor
Approved as to Form and Legality	
MICHAEL N. FEUER, City Attorney	
DARREN R. MARTINEZ Deputy City Attorney	
Date <u>\$/12/2016</u>	
File No. <u>12-1681</u>	

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RULES, ELECTIONS, INTERGOVERNMENTAL RELATIONS, AND NEIGHBORHOODS COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to establishing a procedure to create a certified Neighborhood Council within the boundaries of one or more existing certified Neighborhood Councils.

Recommendation for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

PRESENT and ADOPT the accompanying ORDINANCE, dated August 12, 2016, adding Section 22.819 to the Los Angeles Administrative Code (L.A.A.C.) establishing a procedure for stakeholders to create a certified Neighborhood Council within the boundaries of one or more existing certified Neighborhood Councils.

<u>Fiscal Impact Statement</u>: None provided by the City Attorney. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: Yes.

For: Neighborhood Council Empowerment Congress - North Area Neighborhood

Development Council

Lake Balboa Neighborhood Council Glassell Park Neighborhood Council

Against: Los Feliz Neighborhood Council

Arroyo Seco Neighborhood Council

Hert & Want

SUMMARY

At its regular meeting held on September 16, 2016, the Rules, Elections, Intergovernmental Relations, and Neighborhoods Committee considered a City Attorney report and Ordinance, dated August 12, 2016, relative to adding Section 22.819 to the L.A.A.C. establishing a procedure for stakeholders to create a certified Neighborhood Council within the boundaries of one or more existing certified Neighborhood Councils.

After providing an opportunity for public comment, the Committee recommended that Council adopt the accompanying Ordinance. This matter is now forwarded to the Council for its consideration.

Respectfully Submitted,

RULES, ELECTIONS, INTERGOVERNMENTAL RELATIONS, AND NEIGHBORHOODS COMMITTEE

MEMBER VOTE
WESSON: YES
HUZAR: YES
HARRIS-DAWSON: ABSENT

REW 9/16/16 FILE NO. 12-1681

-NOT OFFICIAL UNTIL COUNCIL ACTS-



November 12, 2017

Re: 2017 Los Angeles City Neighborhood Council Subdivisions / Skid Row Neighborhood

To Whom it May Concern,

I have been asked [as <u>one of the longest-standing participants</u> in L.A. City's Neighborhood Council (NC) subdivision process] to provide some directed insight into its **development**, **history**, **and original intent** -- especially as it relates to **deviations** from that process that **negatively affected the Skid Row NC subdivision vote** of April 6, 2017, and its aftermath.

By way of introduction, I <u>personally took part</u>: a) in the early efforts (in 2012) to lobby Councilmember Jose Huizar that **resulted in the initial City Council motion calling for creation of a "subdivision" process** for NCs; and, b) as one of City Commission-selected citizen appointees to **serve on the <u>NC Plan Review & Reform</u> committees** (in 2013) that were tasked with – among other policy revisions – **drafting <u>the original subdivision policy</u>** that was eventually approved (with minimal changes) by the City Council in 2015.

Further, it was the subgroup of those same committees on which I served (representing Harbor/South/West areas of the City) that drafted **the specific steps for this same policy/process**.

Overview: As it pertains to that voting process -- called an "election" throughout the resulting L.A. City Ordinance #184526 as finally adopted in 2016 – that ordinance specifically orders that [emphasis added]: "The **Department** (... of Neighborhood Empowerment; **DONE**) shall conduct an election within the boundaries stated in the subdivision petition within 90 days of the Department's approval of the subdivision petition" (see "ordinance" attached).

In the case of the Skid Row Neighborhood's application and eventual subdivision vote, the **emphasized** passages are addressed in what follows -- taken out of order here based on the **seriousness of the City's** missteps in conducting that election.

A) "... an election within the boundaries" There is no debate that this part of the legal ordinance means exactly what is says: That the <u>polling place</u> for the vote should be located within the boundaries of the (necessarily) smaller, subdividing entity. In the case of both 2017 L.A. City subdivision elections, while the applicants (**Skid Row** and **Hermon**) had no say in the specific **date** for that vote, both were <u>required to select that one location</u> within their proposed (new) NC boundaries — and even to assist in securing the site for the City. Both we also <u>told</u> repeatedly that **ALL voting would take place at that one location**, on the assigned day.

NC Subdivision - 2017 Page 1

However, in the case of **only** the proposed Skid Row NC, "online" voting methods and "pop-up polls" **outside** its boundaries were not only City-facilitated, but were heavily promoted.

The City has attempted to justify its last-minute decision to include these decidedly **outside** the **boundaries** (i.e., extralegal) voting options in illusory ways, including saying the very-specific ordinance phrase "**AN election WITHIN**" (EMPHASIS added) has some meaning beyond its simple, logical interpretation of: "**ONE election ... INSIDE**" the applicant's proposed boundaries.

B) Addition of "<u>within the boundaries</u>" to the final ordinance — Presumably, these eleventh-hour redefinitions of this key phrase were cleared at some point through the office of the City Attorney of Los Angeles. However, it must be noted here that this **phrase "within the boundaries" was actually and very specifically added** by that same City Attorney's office.

This was one of the <u>very few changes from the original</u>, thoroughly vetted (throughout the City's 96 NCs) wording that directed **DONE to "set an election ..."** -- later **unanimously adopted** by City Council without such specifics. See Item 1a, ii of "Official Action ... City Council" (attached).

C) "... Department shall conduct...." Related to allowing online voting for ONLY Skid Row's subdivision vote (and not Hermon's), the City says it based this decision on the **earlier choice by the larger Downtown Los Angeles NC** (DLANC) to use the then first-ever online voting platform for its 2016 board-seat elections. (Hermon's existing, larger NC had no online voting).

Here, it is important to note that -- while there was <u>some debate within NC Plan Review/Reform</u> <u>groups in 2013 related to a few subdivision **processes** -- the 45 appointed members were **universally opposed** to the larger, existing NCs (from which subdividers wished to separate) **being able to decide** how subdivision elections affecting their boundaries would be run.</u>

Since subdivision, by its nature, would be a "David v. Goliath" situation, the NC Plan advisors expected the larger NCs to: 1) oppose any separation, and 2) try and stack the deck even more, using election processes **that favored their status quo**. To help level the field, all such choices were to be left to DONE and/or the applicant. As such, past-year choices (for very-different board elections) by those NCs should have had **no bearing on whether online voting was used**.

In summary: Based on all the preceding, until such time as the City of Los Angeles holds a subdivision vote **entirely within the boundaries of the proposed Skid Row NC** – as it did in the case of Hermon -- it remains **in direct violation of its own ordinance** governing this process and has failed to protect the legally guaranteed rights of the stakeholders it governs.

Sincerely,

Joseph Riser

Hermon Neighborhood of Los Angeles

(and)

Secretary, Harbor/South/West L.A. Areas

NC Plan Review/Reform Initiative Committee

(323) 376-9000

NC Subdivision - 2017 Page 2

HOLLY L. WOLCOTT CITY CLERK

GREGORY R. ALLISON EXECUTIVE OFFICER

When making inquiries relative to this matter, please refer to the Council File No.: 12-1681

City of Los Angeles



OFFICE OF THE CITY CLERK

Council and Public Services Division 200 N. SPRING STREET, ROOM 395 LOS ANGELES, CA 90012 GENERAL INFORMATION - (213) 978-1133 FAX: (213) 978-1040

SHANNON HOPPES DIVISION MANAGER

CLERK.LACITY.ORG

OFFICIAL ACTION OF THE LOS ANGELES CITY COUNCIL

November 25, 2015

Council File No.: 12-1681

Council Meeting Date: November 24, 2015

Agenda Item No.: 3

Agenda Description: RULES, ELECTIONS, INTERGOVERNMENTAL RELATIONS, AND

NEIGHBORHOODS COMMITTEE REPORT relative to a Neighborhood

Council subdivision policy.

Council Action: RULES, ELECTIONS, INTERGOVERNMENTAL RELATIONS, AND

NEIGHBORHOODS COMMITTEE REPORT - ADOPTED

Council Vote: ABSENT BOB BLUMENFIELD

YES MIKE BONIN YES JOE BUSCAINO

ABSENT GILBERT A. CEDILLO YES MITCHELL ENGLANDER

ABSENT FELIPE FUENTES

YES MARQUEECE HARRIS-DAWSON

YES JOSE HUIZAR
YES PAUL KORETZ
ABSENT PAUL KREKORIAN
YES NURY MARTINEZ
YES MITCH O'FARRELL
YES CURREN D. PRICE

YES DAVID RYU
YES HERB WESSON

HOLLY L. WOLCOTT

RULES, ELECTIONS, INTERGOVERNMENTAL RELATIONS, AND NEIGHBORHOODS COMMITTEE REPORT relative to a Neighborhood Council subdivision policy.

Recommendations for Council action:

- REQUEST the City Attorney to prepare and present an ordinance to amend the relevant Los Angeles Administrative Code sections relative to Neighborhood Council subdivision/boundary adjustment as follows:
 - a. A new Neighborhood Council may be created from within the boundaries of an existing Neighborhood Council by the following process:
 - The subdividing group shall undertake the process for Neighborhood Council formation as already described for new councils.
 - ii. The Department of Neighborhood Empowerment (DONE) shall set an election to take up the question within 90 days of verifying all paperwork is complete.
 - iii. A majority of the votes cast by stakeholders of the entire original Neighborhood Council shall be required to complete the separation and create a new council.
 - iv. If an area leaves a Neighborhood Council, the original council should simply be required to adjust its boundaries and board structure and not recertify.
 - v. If an area moves between two existing Neighborhood Councils, neither should be required to recertify.
- INSTRUCT the City Administrative Officer (CAO) to include in the City budget for the next fiscal year, proposed funding for three positions needed to implement the proposed Neighborhood Council subdivision/boundary adjustment policy.
- 3. NOTE and FILE the DONE Reports dated November 19, 2013 and August 13, 2015.

<u>Fiscal Impact Statement</u>: None provided by the Board of Neighborhood Commissioners. Neither the CAO nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: Yes.

For: Neighborhood Council Empowerment Congress - North Area Neighborhood

Development Council

Lake Balboa Neighborhood Council

Glassell Park Neighborhood Council

Against: Los Feliz Neighborhood Council

Arroyo Seco Neighborhood Council

SUMMARY

At its regular meeting held on October 16, 2015, the Rules, Elections, Intergovernmental Relations, and Neighborhood Committee considered reports from DONE dated November 19, 2013 and August 13, 2015, and a report from the Board of Neighborhood Commissioners dated October 9, 2013, as initiated by Motion (Huizar - Parks), relative to a Neighborhood Council subdivision policy. The Committee Member and Maker of the originating Motion provided a brief overview of the matter and introduced an amendment to instruct the CAO to include proposed funding in the City's budget for the next fiscal year for three positions in DONE to implement the new policy.

After consideration and after providing an opportunity for public comment, the Committee approved the recommendation in the Board of Neighborhood Commissioners report to request the City Attorney to prepare an ordinance to implement the proposed process for Neighborhood Council subdivision/boundary adjustment, as amended to also instruct the CAO to include funding in next fiscal year's budget for positions to implement the proposed policy. Additionally, the Committee noted and filed the DONE reports. This matter is now forwarded to the Council for its consideration.

Respectfully Submitted,

RULES, ELECTIONS, INTERGOVERNMENTAL RELATIONS, AND NEIGHBORHOODS

COMMITTEE

MEMBER VOTE WESSON: YES

HUIZAR: YES

HARRIS-DAWSON: YES

REW 11/3/15

FILE NO. 12-1681

-NOT OFFICIAL UNTIL COUNCIL ACTS-

ORDINANCE	NO.	184526

An ordinance adding Section 22.819 to the Los Angeles Administrative Code establishing a procedure for stakeholders to create a certified Neighborhood Council within the boundaries of one or more existing certified Neighborhood Councils.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. A new Section 22.819 is added to Article 3 of Chapter 28 of the Los Angeles Administrative Code to read as follows:

Sec. 22.819. Neighborhood Council Subdivision.

- (a) Subdivision Petition. A stakeholder within an existing certified Neighborhood Council who desires forming a separate certified Neighborhood Council within the boundaries of one or more existing certified Neighborhood Councils shall submit a subdivision petition to the Department of Neighborhood Empowerment (Department) on a form approved by the Department. The subdivision petition shall identify five stakeholders who are authorized to receive notice and make decisions regarding the subdivision petition, including any bylaw changes. The Department shall review the subdivision petition to determine if the subdivision petition complies with the components of a Certification Application stated in Article III, Section 2 of the Plan for a Citywide System of Neighborhood Councils (Plan), except that the subdivision petition may propose boundaries that are within one or more existing certified Neighborhood Councils.
- (b) Election Approving a Subdivision. The Department shall conduct an election within the boundaries stated in the subdivision petition within 90 days of the Department's approval of the subdivision petition. A stakeholder is eligible to vote in the election if the person is a stakeholder in the proposed area for subdivision or in any of the Neighborhood Councils that are proposed for subdivision. A majority of the voters from the entire Neighborhood Council or Neighborhood Councils being subdivided must approve the subdivision in order to create the new Neighborhood Council.
- (c) Bylaws for the Existing Neighborhood Council. If a majority of the stakeholders at the election approve the subdivision, then the existing certified Neighborhood Council or Neighborhood Councils being subdivided shall amend their bylaws within 30 days of the election to reflect changes to the boundaries and, if applicable, the board structure. If the existing certified Neighborhood Council or Neighborhood Councils fail to provide amended bylaws within 30 days of the election, then the Department is authorized to amend the bylaws to reflect any changes to the boundaries or board structure. The Department shall forward the bylaws for any Neighborhood Council that is being subdivided and the subdivision petition to the Board of Neighborhood Commissioners (Commission) for approval of the bylaws.

- (d) Approval of Bylaws by the Commission. The Commission is authorized to review the bylaws for any Neighborhood Council being subdivided and the bylaws in the subdivision petition. The Commission is authorized to make any amendments to the bylaws to satisfy Article III Section 2 of the Plan. If the Commission approves the bylaws in the subdivision petition, then the Neighborhood Council listed in the subdivision petition shall be deemed a certified Neighborhood Council within the City of Los Angeles. The five stakeholders listed in the subdivision petition shall be authorized to work with the Department and make decisions regarding the initial election or selection of the newly certified Neighborhood Council's governing board. The Neighborhood Council or Neighborhood Councils being subdivided are not required to recertify and continue to remain certified after approval by the Commission of the bylaws.
- (e) **Regulations**. The Department is authorized to promulgate any further procedure, rule or regulation necessary for the administration of the subdivision process contained in this section, including, but not limited to, conducting the election for subdivision, initial election for the subdivided Neighborhood Council's governing board, eligibility for voting at any election, and placing limitations the number of subdivision petitions processed during any calendar year.

Sec. 2. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance w Los Angeles, at its meeting ofSEF	as passed by the Council of the City of
	HOLLY L. WOLCOTT, City Clerk
a / 2 / a	By Culm Pust Deputy
Approved 9/28/16	Mayor
Approved as to Form and Legality	
MICHAEL N. FEUER, City Attorney	
DARREN R. MARTINEZ Deputy City Attorney	
Date 8/12/2016	
File No. <u>12-1681</u>	

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CITY OF LOS ANGELES

CALIFORNIA

DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT

20th FLOOR, CITY HALL 200 NORTH SPRING STREET LOS ANGELES, CA 90012

TELEPHONE: (213) 978-1551 TOLL-FREE: 3-1-1 FAX: (213) 978-1751 E-MAIL: done@lacity.org

> GRAYCE LIU GENERAL MANAGER

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BOARD OF NEIGHBORHOOD COMMISSIONERS

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ICE PRESIDEN

Maggle Darett-Quiroz Josh LaFarga Eli Lipmen

Eve Sinclair Debra Wehbe



Eric Garcetti MAYOR

January 17, 2017

Honorable Members of the Los Angeles City Council c/o City Clerk's Office Room 395, City Hall Los Angeles, CA 90012

SUBJECT: REPORT BACK ON COUNCIL FILE 15-1022-S2 REGARDING ONLINE

VOTING PILOT FOR NEIGHBOHROOD COUNCIL ELECTIONS

Honorable Members:

SUMMARY

The Department of Neighborhood Empowerment, in collaboration with the Office of the City Clerk, conducted an online voting and voter registration pilot for 36 Neighborhood Councils in the 2016 Neighborhood Council elections on the Everyone Counts platform. The outcomes and recommendations are presented in this report.

The Department appreciates and thanks the Neighborhood Councils for participating in the pilot, the Office of the City Clerk for their excellent work with candidate registration as well as testing and development of the online voting platform and the Bureau of Engineering for developing a crucial online address look up widget, all of which were necessary to make this pilot possible. Based on the following outcomes, the Department recommends continued build out of the online voter registration and voting platform for Neighborhood Council subdivision elections in April 2017 and all Neighborhood Council elections from March to June 2018 with changes to election outreach, board structures and voting requirements.

RECOMMENDATION

That the City Council adopt the following recommendations:

 Instruct the Department of Neighborhood Empowerment and the Office of the City Clerk to continue the build out of Neighborhood Council voter registration and online voting platform to be available for 2 Neighborhood Council subdivision elections (Herman Neighborhood Council and Skid Row Neighborhood Council) Honorable Members of the Los Angeles City Council January 17, 2017 Page **2** of **10**

in April 2017 and to be completed for 96-98 Neighborhood Councils in time for the 2018 Neighborhood Council elections.

- 2. Instruct the Department of Neighborhood Empowerment to require picture identification along with self-affirmation of the stakeholder type (live, work, own real property or substantial and ongoing community interest stakeholder) to register to vote in order to make the voting process easier and for the voting age set by the Neighborhood Councils to be between 12 and 16 years old for their elections and selections citywide in order to encourage youth participation.
- 3. Instruct the Department of Neighborhood Empowerment to work with the Neighborhood Councils and the Board of Neighborhood Commissioners to change the individual Neighborhood Council voting requirements and, if necessary, the applicable Neighborhood Council board structures so that there are no more than 3 ballot types required for each Neighborhood Council election or selection in 2018.
- 4. Instruct Neighborhood Councils to set aside at least 20% of their yearly funding in election and selection years to notify stakeholders of candidate filing and of the election and to support any election day costs for location, refreshments and volunteers. This funding would be in addition to the citywide election outreach that will be conducted by the Department of Neighborhood Empowerment if such funding is allocated.
- 5. Instruct the Office of the City Administrative Officer to identify \$342,000 in funding for the following election outreach and expansion of the online voting platform this current fiscal year to begin as soon as possible:
 - a. \$150,000 for continued build-out of online platform
 - b. \$90,000 for Printing and Binding
 - c. \$67,000 for As-Needed Staffing
 - d. \$35,000 for Office and Admin

BACKGROUND

Goals

For the 2016 Neighborhood Council online elections voting pilot, the Department of Neighborhood Empowerment (EmpowerLA) had the following goals:

- Create a secure voter registration database on the Everyone Counts platform so that once voters are registered for the 2016 election, they will not have to re-register for subsequent Neighborhood Council elections.
- 2. Offer secure online and telephone voting on the Everyone Counts platform so voters could easily vote either in person at the polling location or from any computer, tablet or phone.
- 3. Increase voter turnout because of the ease of voter registration and voting.

Honorable Members of the Los Angeles City Council January 17, 2017 Page 3 of 10

Neighborhood Councils in the Pilot

Neighborhood Councils were provided the option of enrolling in the pilot, and 35 Neighborhood Councils initially elected to do so. Of the 35, 2 Neighborhood Councils, Greater Valley Glen Neighborhood Council and Central Alameda Neighborhood Councils, ultimately did not have an election because they had no contested seats, which resulted in a board affirmation instead. Another Neighborhood Council, Echo Park Neighborhood Council, was included in the pilot after the initial 35 because of fears of voter intimidation at the polling location. In total, 34 Neighborhood Councils conducted online voting elections in the pilot. Of these 34, 12 Neighborhood Councils also offered Interactive Voice Response (IVR), i.e., telephone voting. All 36 Neighborhood Councils had advanced voter registration available. Eighteen of the Neighborhood Councils verified voters through self-affirmation and 18 verified voters through documentation. See Attachment A for a summary of the 36 Neighborhood Councils in the pilot.

Voter Registration and Voting Processes

For Election Regions 1-4, which covered the North and South Valley, voters for the pilot Neighborhood Councils could only register online on the EmpowerLA website (empowerla.org/onlinevoting/) to vote either online or via telephone¹ if they wanted to vote before the polling date. The voter registration database was hosted on EmpowerLA's QuickBase case management system because the Everyone Counts voter registration database was not completed until June 2016. This delay was due in part to a later start for the online voting pilot because of the final contract approval date and in part to the complexity of connecting the Everyone Counts voter registration database to the online voting platform. Everyone Counts required the online voting platform to be completely separate from the voter registration database for security reasons.

Voters in Neighborhood Councils that required self-affirmation for voter registration had to still scan or take a photo of any picture identification with their name on it and upload the information to the voter registration portal. All self-affirmation voters for the pilot Neighborhood Councils had to provide photo identification at the polling location as well to check against the voter registration database to determine if they had already voted or registered. This requirement was to prevent voters from voting online and then coming to the polling location and voting again or vice versa.

Voters in Neighborhood Councils that required documentation for voter registration had to provide both picture identification and paperwork verifying the type of stakeholder they were in order to register to vote online or at the polling location. See Attachment B for a list of acceptable Qualifying Documents for Neighborhood Council Elections.

When EmpowerLA election staff received the voter registration documents, they would review for completion, and once verified, staff were instructed to delete the documentation from the database. Voter registrations with the same names and/or

¹ Porter Ranch Neighborhood Council had the addition of Pop-Up Polls for voter registration before their election date because their election was moved from April to June due to the gas leak in the area.

Honorable Members of the Los Angeles City Council January 17, 2017 Page 4 of 10

email addresses were flagged for further review to determine their validity. Verified voters were downloaded from the QuickBase voter registration database daily and sent to Everyone Counts where they were entered into the online voting platform to be issued a unique user number and password to vote, which were then emailed to the voter. The average turnaround time from voter submission to verification was 5 calendar days and from verification to receiving a user number and password to vote was 2 calendar days.

Online voter registration was available by the first week of January 2016 and was open until 7 days before the Neighborhood Council's election day. This early close allowed staff the time to complete the verification process and to send the online voting credentials. Once online voter registration was closed, voters would have to go to the election day polling location to complete their voter registration to vote unless a Pop-Up Poll was offered for their Neighborhood Council the 7 days before the election day.

To vote, voters who received their online voting credentials from Everyone Counts, could cast their vote online from 3 weeks before the election day to the close time of the poll on the election day. If they did not want to vote online, they could go to the polling location the day of the election to cast their vote online or on a paper ballot. They could also cast their vote at a Pop-Up Poll if their Neighborhood Council offered one. The online voting experience was available in Spanish and English. In order to track the source of the votes and to control the close of online voting on the polling day,² Everyone Counts created 2 online voting accounts: one for the polling location and one for off polling site voting. Election staff had the ability to check Everyone Counts' staff database whether a voter had already voted online and to check off if a voter voted at the polls in order to ensure each voter had only voted once. How the voter voted was never visible online to staff as that information was encoded as soon as the vote was cast.

At the close of election day, election staff would work with Everyone Counts to compile an Unofficial Canvass of Votes that would combine the off polling site online votes, at poll online votes, at poll paper ballots and at poll provisional ballots. This list would be posted on the EmpowerLA website for public review and election challenges. If no election challenges were filed, a Final Canvass of Votes would be issued 5 days after the election day. If election challenges were filed, a Final Canvass of Votes would be issued once all election challenges were resolved. See Attachment C for more details in the Neighborhood Council 2016 Election Manual.

OUTCOMES

EmpowerLA partially met its goals for the pilot:

1. Create a secure voter registration database on the Everyone Counts platform so that

² Election staff had to be able to delay the close of online voting ballot submission at the polling location in case there was a line at closing time. Election staff could let voters in line complete their voting processes, which would take them past the closing time. In these cases, the off polling site voting database would close on time, while the onsite polling voting database would close after the last voter finished casting their online ballot.

Honorable Members of the Los Angeles City Council January 17, 2017 Page 5 of 10

once voters are registered for the 2016 election, they will not have to re-register for subsequent Neighborhood Council elections.

Outcome: The Everyone Counts voter registration database has been created for 50 Neighborhood Councils³ though it was only completed in time to test for several Neighborhood Councils. Verified voters from 2016 will be loaded into the voter registration database so they will not need to be verified again in 2018.

Offer secure online and telephone voting on the Everyone Counts platform so voters could easily vote either in person at the polling location or from any computer, tablet or phone.

<u>Outcome</u>: Voters had the ability to vote online securely and, for the most part, easily in person at the polling location or from any computer, tablet or phone once they received their voting credentials. For some voters, receiving voting credentials was a challenge as noted below in election issues.

IVR was offered in the pilot despite Everyone Counts recommendation that voting via touch tone phone was not easy to either set up or cast a ballot⁴ because some Neighborhood Councils wanted a lower technology option for their voters. Of the 12 Neighborhood Councils that offered IVR, only 2 votes were cast. Due to the high work load to set up the IVR, which was handled by the Office of the City Clerk, and the low voter use, EmpowerLA does not recommend using IVR in the future.

3. Increase voter turnout because of the ease of voter registration and voting.

<u>Outcome</u>: Of the 34 Neighborhood Councils, 16 Neighborhood Councils had a voter increase from their last election or selection, ranging from 1 to 270 voters with the majority of the increase being less than 100 voters, but which resulted in mostly over 10% voter increase when compared to 2014.

These results confirmed that online voting, like any other type of voting platform, is heavily influenced by other factors other than the ease of voting, e.g. number of candidates, how much outreach was conducted, process for voter registration and whether there was a community issue or different factions driving an increase in election numbers.

Of the 25,571 votes cast in the 2016 Neighborhood Council elections, 34% of voters voted online and 34% of those online voters voted on their own devices.

³ Everyone Counts completed its voter registration database in June 2106 so it was only available for 3 Neighborhood Councils: Mid City, Empowerment Congress North and Empowerment Congress West. Per the contract with the City, Everyone Counts completed the voter registration and online voting platforms for 50 Neighborhood Councils. EmpowerLA selected the remaining 14 Neighborhood Councils for completion. See Attachment D for all 50 Neighborhood Councils for which the voter registration database and online voting platform are completed.

⁴ Using IVR to cast a ballot on a touch tone phone can take 20 to 30 minutes or more because each candidate must be announced for every seat in order for the voter to select via touch tone.

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ELECTION ISSUES

Aside from these outcomes, EmpowerLA identified the following issues for online voter registration and voting that were either addressed at the time of the occurrence or will need to be addressed for online voter registration and voting to be offered in the 2018 Neighborhood Council elections. See Attachment E for a more detailed summary of all the Neighborhood Council election results and issues.

1. Voters were reluctant to upload sensitive documents to complete voter registration online.

Because of security concerns and/or the expressed disbelief of the type of documentation needed to verify stakerholdership to vote in Neighborhood Council elections, many voters did not complete their online voter registration, which resulted in more people voting at the polling locations than expected. Approximately 68% of the 5701 voters, who registered online, completed their registrations.

Solution: EmpowerLA created the Pop-Up Polls once online voting moved out of the Valley in order to address this issue. Pop-Up Polls consisted of one or two staffers going to a field location where many stakeholders would hopefully be present to register and vote them there. These types of voting opportunities were really critical for some Neighborhood Councils to increase their voting numbers. Staff would review the documentation at the location and issue voting credentials then and there for the voter to cast their vote on either a tablet on the voter's smart phone. Pop-Up Poll locations were provided by the candidates all of whom were asked to provide a location by staff. For future elections, EmpowerLA recommends the Neighborhood Council provide Pop-Up Poll locations by board vote in their Election Stipulation Worksheets to avoid accusations of unfairness from some candidates who provided no locations about other candidates who may have provided multiple locations.

In addition, voter registration should occur at Neighborhood Council events and meetings year long in partnership between EmpowerLA, Office of the City Clerk and the Neighborhood Councils. Several Neighborhood Council members could be deputized to assist in verifying voters. This idea was supposed to be implemented for the 2016 elections, but could not because of the delay in the voter registration database build out.

Again, once voters are registered, they would not have to re-register again unless they moved, had a change in stakeholder status or the Neighborhood Council changed their voting requirements or board structure.

2. Some voters required more assistance than expected to complete online voting registration and voting.

Honorable Members of the Los Angeles City Council January 17, 2017 Page 7 of 10

While there were successes in voters using their own devices to vote and voting quickly at the polls online,⁵ there were also challenges as some voters did not know how to use a tablet at the polls or had trouble submitting the online voting ballot on the Everyone Counts platform. The online voting ballot was one long ballot with every race on a single page, which had to be scrolled through, and any changes the voter made on the ballot started the scrolling from the top again. Once the voter reached the bottom of the ballot, some of them did not know to click submit. Some voters also wanted proof that they voted via email, but that was not possible because of the anonymity of the vote, which voters did not understand completely.

Also, there were voters who had trouble registering either because they tried to register multiple voters with one email account or had registered for the wrong type of stakeholder so they did not get the ballot they wanted or thought they could vote for in an election.⁶ These actions caused complaints to staff that voters were not receiving their credentials or that online voting does not work.

Solution: When it was evident from the first election at Sylmar Neighborhood Council that voters were taking longer to vote because they were unfamiliar with either using a tablet and/or the online ballot, EmpowerLA created a "How-To" video and written instructions in multiple languages for using the tablet and working with the online ballot, which were posted in the voting booths. More education and instruction should be prepared in 2018 ahead of time to address the technological divide as well as to inform voters of general election information, including that voter registration information is considered public information, which many voters do not know. Education would also assist with voters trying to register multiple voters under one email and for voters who did not receive the ballot they were supposed to in a race to explain how to properly register to vote and the different Neighborhood Council ballots.

Extra voting time at the online polls was also due to voters not knowing how to input voter user identification and passwords. Having additional staff available to assist in addition to posted directions with pictures alleviated this issue.

EmpowerLA and the Office of the City Clerk have also discussed with Everyone Counts a change from the one page scrolling ballot to paginated ballots with a page for each race. Everyone Counts is now able to provide this improvement for all Neighborhood Council elections to make voting for each race and the final submission of the ballot clearer and easier. There are also additional technological improvements, such as a voting receipt with QRL code, to load ballots quicker at the polls, which also doubles as voting proof, and card swipe machines to make loading voter information faster instead of manually typing it in, which significantly slowed voter down registration at the polls. Having physical poll books, which list registered voters, would also assist in speeding up voter check-in on election day.

⁵ One particular great success at the polls in Sylmar Neighborhood Council was when a Spanish speaking voter brought her young child to assist her with translating the ballot. The voter was delighted to find, however, that the online voting portal was in Spanish so she was able to read and complete her ballot by herself.

⁶ See Historic Cultural Neighborhood Council and Studio City Neighborhood Council respectively in Attachment E.

Honorable Members of the Los Angeles City Council January 17, 2017 Page 8 of 10

3. EmpowerLA initial voter registration and online voting policies and procedures needed to be updated in real time to address stakeholder elections issues.

In preparing for the 2016 Neighborhood Council elections, EmpowerLA was in unchartered territories in preparing its voter registration and online voting policies. While Everyone Counts provided their expertise, the many elections they have conducted were based on pre-existing voter registration databases of residents. Because of the diversity of Neighborhood Council stakeholders and because there were no existing registered voter databases, EmpowerLA worked with Everyone Counts to create an entirely new system.

While EmpowerLA election staff did their best to follow verification policies and procedures, excessive workload of verifying voters and following up on the many voters who did not provide all of the necessary documentation, caused staffing errors, which delayed the distribution of online voting verifications. In addition, not having a clear understanding of QuickBase led one staffer to provide the candidates of the Studio City Neighborhood Council with an internal list of the registered voters with links to sensitive documents. These documents were either pending for those voters who were still missing documents or should have been deleted upon verification, but had not been because of a misunderstanding of the EmpowerLA policies that these documents should be deleted immediately instead of at the end of the election.

<u>Solution</u>: While the EmpowerLA were updating procedures during the elections in an effort to address issues, after the elections, EmpowerLA has debriefed with the Neighborhood Councils, Office of the City Clerk and Everyone Counts to ensure better procedures for the 2018 elections now that we have foundational knowledge of where improvements have to occur. The error of the QuickBase voter database being shared with sensitive documents will not be possible on the Everyone Counts voter database because the documents and voter registration file are separated, which could not happen in QuickBase. Policies for following up on the handling and deleting of any sensitive information must also be implemented in 2018.

EmpowerLA and the Office of the City Clerk have decided that in order to increase efficiencies and to focus on our strong suits that EmpowerLA will focus strictly on election outreach and the Office of the City Clerk will focus on all election functions from voter registration to online voting.

4. More Neighborhood Council election outreach efforts are needed not only by the Neighborhood Council, but also by EmpowerLA, particularly for candidates.

In the 2016 elections, EmpowerLA staff encountered more resistance than in the past to Neighborhood Councils conducting election outreach. Many board members both during the elections and in post election town halls stated that it made no sense for them to conduct the outreach to find candidates to run against them. While EmpowerLA assisted in a citywide marketing campaign about Neighborhood Councils with bus benches, bus stops and banners, EmpowerLA does not have the

Honorable Members of the Los Angeles City Council January 17, 2017 Page 9 of 10

staffing or funding to launch a comprehensive campaign for each of the Neighborhood Councils individually.

<u>Solution</u>: Neighborhood Councils were asked by EmpowerLA to set aside at least 10% of their yearly allocation to spend towards election outreach and costs in 2016. Notification to stakeholders via mailers and online campaigns are critical to getting candidates, and such efforts are very costly. Even with a more robust citywide campaign by EmpowerLA, Neighborhood Councils should be required set aside election outreach funds along the lines of 20% of their yearly allocation for the 2018 elections.

EmpowerLA also requested in the current year budget proposal for funds to begin planning election outreach earlier since by the time EmpowerLA receives the funding and staffing in election fiscal years, there is not enough time for the Valley to receive the full benefit of the election outreach. In order to continue the build out for online voting and voter registration for Neighborhood Councils and begin the necessary election outreach preparations this fiscal year, EmpowerLA is requesting City Council to provide the following funds in the current fiscal year:

- \$150,000 for continued build-out of online platform for 96 Neighborhood Councils this fiscal year
- \$90,000 for Printing and Binding (bus benches, banners, signs, etc.)
- \$67,000 for As-Needed Staffing
- \$35,000 for Office and Admin (swag, pins, social media ads, etc.)

Everyone Counts has provided pricing for the 2018 Neighborhood Council elections that either administers an expanded pilot of the 50 Neighborhood Councils that are already built out or continues the building out to 96 Neighborhood Councils. There is also pricing for the 2020 election cycle that shows the ongoing costs to administer online voting and voting registration for 96 Neighborhood Councils. See Attachment F. EmpowerLA recommends continuing the building out of the online voting and voter registration for the remaining 46 Neighborhood Councils because of the time it takes to complete the build. Additional funding has been requested in the EmpowerLA

5. More uniformity in voting requirements is needed for Neighborhood Councils to be inclusive of all stakeholders.

Article IX, Section 900 of the Los Angeles City Charter states that "Neighborhood Council shall include representatives of the many diverse interest in communities..." After co-administering the past 3 election cycles with the Office of the City Clerk, EmpowerLA has determined that there needs to be more uniformity in voting requirements for Neighborhood Council elections to make participation easier for all stakeholders. See Attachment D for supporting information for these recommended changes:

a. Having no more than 3 ballot styles for Neighborhood Council elections and selections – while every community is unique, the complexity and confusion of having upwards of 21 different ballot styles for some Neighborhood

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Councils is not only hard for stakeholders to understand when they are trying to determine what ballot they qualify for, but also difficult to execute at the polling location for election staff.

- b. Having a voting age minimum between 12 to 16 years old to encourage youth participation Neighborhood Councils should be part of the first experience of civic engagement for youth in Los Angeles, but 32 Neighborhood Councils set their minimum voting age at 18 years old. This creates a situation where only some youth can participate in the Neighborhood Council system depending on the luck of where they are stakeholders. While a few Neighborhood Councils allow youth as young as 12 to vote in their elections, the voting age for all Neighborhood Councils should be lowered to at least 16 years old.
- c. Voter documentation requirements should only be any type of picture identification and self-affirmation about the type of stakeholder the voter is the majority of Neighborhood Councils (51) already use self-affirmation to verify that they can vote in a Neighborhood Council election. The requirement of the excessive documentation that is currently mandated in the remaining Neighborhood Council (45) elections has caused stakeholders to leave the polling location without voting or having to vote provisionally. including current and former City Councilmembers and other electeds. This documentation issue is, in the nationwide conversation of voter suppression, one of the most significant obstacles to overcome in engaging voters and one of the most significant tools for excluding voters. There are no federal, state, county, local or private elections that are as complex as the Neighborhood Council election documentation requirements. Keeping the picture identification is currently necessary to prevent double voting for online voting and polling locations. If another method can be identified, which only requires the initial picture identification to register, EmpowerLA recommends that option instead.

CONCLUSION

Neighborhood Councils average at least 40,000 in just residential stakeholders alone, not including the work, own real property and community interest stakeholders. Attempting to engage this many stakeholders in a 2 to 9 hours of at polls only election is impossible. Online voting and a voter registration database is the only cost efficient platform to connect Neighborhood Councils to an increased voter base of all ages, which should be the continuing election goal of every Neighborhood Council.

Please feel free to contact me directly if you have any questions relative to this report.

Sincerely.

General Manager

Department of Neighborhood Empowerment

ATTACHMENT A



List of the 36 Online Voting Neighborhood Council 2016 Elections

Neighborhood Council	Region	Self-Affirmation	Documentation	Election Date
Sylmar *	1	4		04-02-16
Panorama City	1		✓	04-02-16
North Hills West	2	~		04-09-16
Northridge East	2		~	04-09-16
Northridge West	2		✓	04-09-16
Porter Ranch	2		*	06-11-16
Lake Balboa	3	✓		04-17-16
Reseda *	3	~		04-17-16
Canoga Park	3		✓	04-17-16
Encino	3		✓	04-17-16
West Hills	3		✓	04-17-16
Greater Valley Glen	4	✓		04-07-16
North Hollywood Northeast	4	✓		04-07-16
Studio City *	4		✓	04-07-16
Mid City West *	5	~		05-01-16
Olympic Park *	6	✓		05-05-16
Downtown LA	6		4	05-05-16
Historic Cultural	6		~	05-05-16
Echo Park	7		✓	05-14-16
Silver Lake	7		*	05-14-16
A 32 *	8	~		05-21-16
Glassell Park	8		✓	05-21-16
Historic Highland Park	8		*	05-21-16
incoln Heights *	8		✔	05-21-16
Central Alameda *	9	✓		06-11-16
impowerment Congress Southeast *	9	~		06-11-16
Empowerment Congress Southwest	9	✓		06-11-16
apata-King *	9	✓		06-11-16
mpowerment Congress North *	10	✓		06-18-16
fid City *	10	✓		06-18-16
mpowerment Congress West	10		✓	06-18-16
alms	11	*		06-05-16
outh Robertson	11	~		06-05-16
el Rey	11		✓	06-05-16
arbor Gateway North	12	✓		06-11-16
ilmington	12		✓	06-11-16

^{*} Interactive Voice Response (Telephone Voting)

QUALIFYING DOCUMENTSfor Neighborhood Council elections

NEED HELP? Write to elections@empowerla.org, or call (818) 293-VOTE (8683)

PHOTO ID

Documents on the following list are acceptable proof of identity to vote in a Neighborhood Council election:

- CA driver's license
- CA identification card
- Passport
- Credit card with your photo on it
- Other picture ID showing your name work, school, gym, club, etc.

...this list is for illustration purposes only, and is not meant to be exhaustive. There are additional documentation types that may be acceptable, so long as they show both your name & a photo of you.

LIVE

Documents on the following list are acceptable proof that you live within the council boundaries:

- current mail with your name/address
- current utility bill with your name/home address
- current lease agreement
- current rent receipt
- letter from landlord, Renter's Association, Homeowner's Association, or Neighborhood
 Watch verifying your residency (see a sample letter HERE)
- renter's insurance policy
- homeowner's insurance policy
- LA County property tax bill
- current mortgage statement
- deed
- Homeowner's Association bill
- County Assessor Parcel Number (APN) for your address

...this list is for illustration purposes only, and is not meant to be exhaustive. There are additional documentation types that may be acceptable, so long as they show both your name and an address within the council boundaries.

WORK

Documents on the following list are acceptable proof that you work within the council boundaries. Please note that whatever you provide must show a business name, your name and an address that falls in the Neighborhood Council boundaries:

- current W2 or 1099
- project/job contract or service agreement
- work permit
- letter from employer on business letterhead (see sample letter HERE)
- personal business card with your name + business name/address
- staff roster showing your name
- current business mail with your name/business name/business address
- pay stub or paycheck
- business lease or rental agreement
- business rental receipt
- invoices from vendors
- printed advertisement or business webpage (showing both your name as owner/employee + local address)
- commercial lease or rental receipt
- current City of LA business license
- CA State Board of Equalization resale certificate
- LA County property tax bill
- letter from local Business Improvement District or Chamber of Commerce stating you own the business or property in question (see sample letter HERE)

...this list is for illustration purposes only, and is not meant to be exhaustive. There are additional documentation types that may be acceptable proof that you work locally, so long as they show both your name and an address within the council boundaries.

OWN

Documents on the following list are acceptable proof that you own a residential or commercial property within the council boundaries:

- LA County property tax bill
- Current residential or commercial mortgage statement
- homeowner's insurance policy
- deed
- Homeowner's Association bill
- County Assessor Parcel Number (APN) for your address
- Letter from local Homeowners' Association verifying your ownership at that address (see a sample letter <u>HERE</u>)
- Letter from local Business Improvement District (BID) or Chamber of Commerce verifying your ownership at that address (see a sample letter <u>HERE</u>)

...this list is for illustration purposes only, and is not meant to be exhaustive. There are additional documentation types that may be acceptable proof that you own a residential or commercial property locally, so long as they show both your name and an address within the council boundaries.

ONGOING & SUBSTANTIAL PARTICIPATION

Documents on the following list are acceptable proof that you have a "community interest" within the council boundaries, meaning that you have a substantial and ongoing participation with a group or organization within the area. In general, documents that verify that you are a community interest stakeholder should show both your name and the organization's name, as well as an address for the organization that falls within council boundaries:

- Personal business card, membership card or participation certificate
- Church, school or other organizational roster
- Flyer, agenda, calendar or newsletter
- Letter on official letterhead from school; church; or organization stating that you have a substantial & ongoing participation there (see a sample letter HERE)
- Receipt for membership dues or contributions

...this list is for illustration purposes only, and is not meant to be exhaustive. There are additional documentation types that may be acceptable proof that you have a substantial and ongoing participation locally, so long as they show both your name; the name of your organization; and an address within the council boundaries.

In addition, some Neighborhood Councils have specific ballots for stakeholders who qualify according to specific standards unique to that council. In general, in order to qualify in such situations, documents used to verify your status should still include your name; the name of any associated organization; and an address within the council boundaries.

VOTER VERIFICATION LETTER CHECKLIST

- **Please prepare this letter on an official letterhead, if available.
- ** Please do not forget to include a local address for your establishment, as this letter is invalid without it.

Items to include:

- Date
- Name of voter
- Relationship of voter to your establishment (such as member, student, participant, volunteer, employee)
- Contact info of person writing letter (if it doesn't already appear on letterhead)
- Local address of your establishment (if not already on letterhead)
- Statement that you consider this voter to be a substantial and ongoing participant in your activities/business/classes.
- Your signature, full name + title

Sample text:

Date

[Voter name] is a member/student/participant/volunteer/employee of ours. We consider her/him to be a substantial and ongoing participant in our activities/business/establishment/organization. We are located at [state your establishment's local address.]

Sincerely, [signature] Full name Title





Neighborhood Council 2016 ELECTION MANUAL

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Introduction

The Department of Neighborhood Empowerment (EmpowerLA) and the Office of the City Clerk (City Clerk) are pleased to work with the Neighborhood Councils on your elections in 2016. We have developed this manual to help guide candidates and voters through the election process. While some of the policies in this manual also apply to the Selection process (an alternative to elections), the majority of the information will focus on the election process and procedures.

Many thanks to those Neighborhood Council leaders who have provided critical election feedback that we have incorporated into this manual; who have volunteered to help coordinate regional outreach; who are acting as Independent Election Administrators to guide their fellow Neighborhood Councils through the election process; and who volunteer at the polls and step forward regularly to ask us how they can help make these elections successful. We appreciate your enthusiasm and leadership and are inspired by this partnership with you.

Lastly, we want to acknowledge the hard work of our City partners that make our participation in the Neighborhood Council elections possible: Mayor's Office, City Council, Chief Administrative Officer, Chief Legislative Analyst, Office of the Controller, and the Office of the City Attorney, who have made their election documents and staff available to us during our election preparation.

Please do not hesitate to contact us if you have any questions about the information in this manual. Thank you for your time and efforts in supporting your communities and the Neighborhood Council system!

Department of Neighborhood Empowerment www

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Office of the City Clerk

Election Office

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Elections Division
Piper Technical Center
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Los Angeles, CA 90012

www.EmpowerLA.org

Valley Office

Van Nuys City Hall 14410 Sylvan Street, 4th FL

Van Nuys, CA 91401

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Email: elections@empowerla.org

Clerk.LACity.org/elections

Main line: (213) 978-0444 Fax: (213) 978-0376

TTY: 311 for City of LA Residents or

(213) 482-2121

Email: clerk.electionsnc@lacity.org

Definition of Terms

2016 Election Procedures Manual - This document provides Citywide rules of operation for the Neighborhood Council Election.

2016 Election Procedures Stipulation Worksheet - This document reflects the choices the Neighborhood Council makes relative to their Election Day, time and location.

Board Affirmation - If a Neighborhood Council fails to register enough candidates to have a competitive race, the election will be cancelled, and the candidates seated by affirmation. If there are not enough candidates to meet a quorum of the board, the Department will use the Board of Neighborhood Commissioners Loss of Quorum policy to seat a new board.

Board Election - Type of election that utilizes a secret ballot for voting. These elections will be run according to the policies and procedures set forth in this manual. In addition, the Neighborhood Council must follow the regional election timeline.

Board Slates - A group of candidates that agree to campaign together, typically on shared materials and with a shared message. All members of a slate must agree to be on the slate in writing.

Board Selection - Type of election that does not require a secret ballot to select Neighborhood Council Board Members. A Board Selection is an open vote, such as a show of hands.

Candidate - A person running for an elected board seat.

Candidate Seat Designation - The seat a candidate identifies that he or she is running for.

Candidate Filing - The formal process by which a stakeholder files to seek for an open seat in a Neighborhood Council.

Canvass - The process of collecting votes and providing the tally of results.

City Clerk - The Office of the City Clerk.

Department - Department of Neighborhood Empowerment.

Election Time - The hours of operation of the polls on Election Day.

Election Timeline - Timeline that lists key election dates and deadlines for the Neighborhood Council elections.

EmpowerLA - Department of Neighborhood Empowerment.

EmpowerLA's Neighborhood Council Election Acceptable Forms of Documentation - This document is available at EmpowerLA.org/Elections and illustrates the many types of acceptable documentation for candidates and voters.

IEA - Independent Election Administrator - An individual on contract with the City of Los Angeles assisting Neighborhood Councils with running the elections.

NC - Neighborhood Council.

Open Seat - A position on a Neighborhood Council that is open for election this term.

Region - A group of six to ten Neighborhood Councils in close proximity that will hold their elections on the same day.

Stakeholder - Anyone who lives, works or owns real property in the neighborhood and also those who declare a stake in the neighborhood as a community interest stakeholder, defined as a person who affirms a substantial and ongoing participation within the Neighborhood Council's boundaries and who may be in a community organization such as, but not limited to, educational, non-profit and/or religious organizations.

Tally - The process of counting votes.

Election Process

I. Overview

EmpowerLA and the City Clerk will be conducting elections regionally starting on or about December 19, 2015 and ending on or about June 30, 2016. Each region is comprised of six to ten Neighborhood Councils who will hold their elections on the same day, but at different times and locations within their boundaries. An Independent Election Administrator (IEA) will be assigned to work with the Neighborhood Councils in each region. The IEA assists the Neighborhood Council with education about the elections, outreach (both regionally and individually), paperwork (making sure all necessary election paperwork is completed in time and reviewing all submitted documents from candidates and voters), and monitoring the polls on the day of the election with assistance from Department poll workers and Neighborhood Council volunteers.

CHANGES FROM PRIOR ELECTION CYCLES:

- <u>Regional Election Meetings</u> EmpowerLA will hold regional election meetings to disseminate election information so that Neighborhood Councils in the same region can have an opportunity to get to know each other and leverage resources for outreach.
- <u>Timeline</u> the timeline for elections has been changed to reflect an earlier filing period for candidates. Candidate filing will be open 105 days prior to the election and close 60 days prior to the election.
- <u>Election Procedures</u> EmpowerLA, the City Clerk and the Neighborhood Councils will use
 the Election Procedures in this manual for procedures that apply citywide. Neighborhood
 Councils will only need to approve a 2016 Election Procedures Stipulation Worksheet with the
 changes for the 2016 elections, such as Election Day, time and location. (Attachment A)
- <u>Election</u> <u>Time</u> For poll voting, the polls will be open for a four (4) hour window with the ability to extend to six (6) hours by request. For electronic and telephone voting, voter registration will be open until 7 days before any election. Online and telephonic voting will be open for a period of 21 days prior to the election day and will conclude at the close of the polls on election day.
- Online Candidate Filing Eligible individuals running for an NC seat will file for candidacy online on the EmpowerLA website for both at poll and online elections.
- Online and Telephonic Voting will be piloted on up to 35 Neighborhood Councils that have already been selected.
- Online Voter Registration Voters for the Neighborhood Councils conducting online and telephonic voting will have the ability to pre-register online to vote.

- Online Voting Tabulation will be conducted in accordance with the process established by the EmpowerLA, the City Clerk, and the Online Voting Vendor and the results will be posted at the polling location, online at EmpowerLA.org, and on the Neighborhood Council's website.
- Vote-By-Mail Vote-By-Mail is available with an initial set up fee of \$5000 for 500 ballots because of the extra staffing the City Clerk will bring on to administer a particular Neighborhood Council's Vote-By-Mail, which includes developing an online Vote-By-Mail application portal, receiving Vote-By-Mail applications via the online application portal, reviewing Vote-By-Mail ballot applications, fulfilling requests for ballots, verifying any application information as necessary and processing the final count. The deadline for NCs to decide to include a Vote-By-Mail option in their elections is October 30, 2015.
- <u>Defaults</u> EmpowerLA will set defaults for necessary election information, such as the election day, time, location, etc. if the Neighborhood Council does not provide the information by the set deadlines.

II. Election or Selection

The City Charter allows for Neighborhood Councils to elect or select their board members.

The <u>Board Election Process</u> demands a secret ballot for the voters and will be run according to the policies and procedures set forth in this manual. In addition, the Neighborhood Council must follow the regional election timeline. Most voters are familiar with this model.

The <u>Board Selection Process</u> does not have a secret ballot and is usually conducted in a town hall style setting where board members are selected by a public vote such as showing of voter hands or a printed ballot where the ballot is signed by the voter in public. EmpowerLA has provided a Selection Procedures Stipulation Worksheet to assist Neighborhood Councils with a selection process.

If a Neighborhood Council wants one year terms for board members or wants more flexibility as to the day they want to hold a vote for the new board members, then they should use a Selection Process. Elections are only held during the even-numbered years so board terms have to be two or four years. The Department's timeline for elections does not allow for as much flexibility for date selection since all of the Neighborhood Councils in a region must have their election on the same day. If a Neighborhood Council wants a different date than the election day chosen by the region, then they will need to go to a Selection Process.

III. Election Timeline

To provide you with an overview of the election process, we have divided it into eight phases:

PHASE 1 - Getting Ready

Timeline – September 1, 2015 to E-105

EmpowerLA has already set up the Regions, and the Neighborhood Councils must select their election day no later than October 9, 2015. If an election committee is not already in place and working, the Neighborhood Council boards should immediately appoint a minimum three person Election Committee (including a Chair) to work with the IEA and the Department. The Neighborhood Council board should also have an Outreach Committee to focus on outreach for candidates, outreach for voters, and coordination with the regional Neighborhood Councils. These committees can be combined since their efforts and work will complement each other.

To Do:	□ Meet with the Neighborhood Councils in your region to discuss outreach
	□ Set a goal to recruit a minimum of three candidates per open board seat
	□ Tell your stakeholders that you are having an election!
	Start recruiting candidates as early as possible!
	□ Start advertising your candidate forum(s)

2016 Election Procedures Stipulation Worksheet

Each Neighborhood Council board conducting an election should complete the 2016 Election Procedures Stipulation Worksheet designating day, time and location for polling locations. The Elections Committee should make recommendations to the board which will then make the decisions and submit the Stipulation Worksheet to EmpowerLA.

Outreach Planning

Neighborhood Councils are asked to provide an outreach plan that shows how they will reach their stakeholders during the candidate recruiting and voter notification phases of the elections.

Please use the Outreach Plan form provided by the EmpowerLA in conjunction with the Election Procedures Stipulation Worksheet for ideas on how to conduct outreach regionally and locally. In addition, your Neighborhood Council may also want to include:

- <u>Candidate Information Sessions</u> The Neighborhood Council may want to hold Candidate Information Sessions regionally on its own to attract candidates to run for board seats. The Department also offers the EmpowerLA Leadership Academy workshops, which provide training for candidates.
- <u>Candidate Statements</u> Neighborhood Councils can link to the EmpowerLA page with candidate statements and photos. They can also copy candidate statements from the EmpowerLA website and publish them in emails, newsletters or any outlet available to the

Neighborhood Councils.

- <u>Candidate Forums</u> Each Neighborhood Council may present any number of Candidate Forums or arrange for forums sponsored by other organizations, such as a Chamber of Commerce or other regional Neighborhood Council organizations. Each forum, however, must ensure that each and every certified candidate is provided equal time and exposure.
- Perform outreach for your election to encourage voter participation.

The Department sends out a weekly e-newsletter that will keep everyone updated on the elections and other issues affecting the Neighborhood Council system.

Phase 2 - Election Timeline Starts Timeline – 105 days from Election Day

One hundred and five days from the Election Day, the official timeline of the elections begin with the opening of candidate filing. Candidate filing is open for 45 days and will close 60 (sixty) days prior to each NC election. All potential candidates will file for candidacy online on the EmpowerLA website. All candidates will need to upload documentation to prove that they are eligible to run for the seat for which they are filing. Candidate statements and pictures may also be uploaded. The EmpowerLA website will list each candidate as "pending" until the documentation information has been verified by the City Clerk. Once the information has been verified, the City Clerk will change the status of the candidate to "certified" and the name will be placed on the ballot.

To Do:
 □ Start recruiting candidates if you haven't already!
 □ Hold Candidate Information Sessions
 □ Keep telling your stakeholders that you are having an election!

Phase 3 – Election Commitment Timeline – 60 from election day

All candidate filing forms must be submitted no later than sixty (60) days prior to election day. Candidates who have filed by this deadline will have three business days to submit any additional information to establish their stakeholder status for the position they are running for. The candidate review period ends fifty (50) days prior to the election day. Forty-six (46) days prior to the election day will be the deadline for candidates to withdraw their candidacy and have their names removed from the ballot. Withdrawals after forty-six days will be processed by the NC after Election Day. Forty-five (45) days prior to the Election, the City Clerk will release the final certified candidate list. If there are no contested seats, i.e. only one (1) candidate for each open seat, the Department will hold a Board Affirmation town hall at the next regular meeting of the Neighborhood Council to seat the new board. If there are not enough candidates to meet a quorum of the board, the Department will use the Board of Neighborhood Commissioners Loss of Quorum policy to seat a new board.

If the Neighborhood Council's open board seats have multiple candidates, then it's time to engage voters to come out to the election and vote!

To Do:	 Announce the candidates for the election
	□ Hold Candidate Forums
	□ Recruit volunteers to assist on the day of the election
	□ Develop an exit poll or survey for your stakeholders on election day
	☐ Keep telling your stakeholders that you are having an election!

Recruiting Election Volunteers

EmpowerLA will provide a Poll Manager and Assistant Poll Manager on the day of the election. They will be supervised by the Independent Election Administrator (IEA). We encourage Neighborhood Councils to provide volunteers for their elections. The volunteers can be non-candidate board or committee members and stakeholders. Because all the elections are occurring on the same day in the region, board and committee members are encouraged to work on a neighboring council's elections in the region. EmpowerLA will provide a short training for all volunteers on how to conduct a successful election.

Ballots

All Neighborhood Council Regions will have an opportunity to vote at a polling site. Additionally, up to 35 Neighborhood Councils will have the ability to participate in online and/or telephonic voting prior to election day.

For at poll voting, the City Clerk will prepare stakeholder registration forms, ballots, poll worker and volunteer name tags and instructions. The City Clerk will assemble the Election Kit with supplies for the poll thirty days prior to the at poll election.

Online Voting

Neighborhood Councils that have chosen Online Voting will begin registering voters before the Candidate Registration process begins. The Department will engage the Election Committees and the Outreach Committees so that they can work together to promote the election, engage and register voters, and stir enthusiasm in the community.

Neighborhood Councils with Online Voting will still have an Election Day polling location for those that would prefer to vote in person. Voters will register (if they haven't already registered), and they will vote using an online portal. Their vote will be tabulated in the same process as the online ballots.

The Online Voter Registration period will begin in mid-November and close 7 days prior to each election. Online and telephonic voting will be open for a period of 21 days before the Election Day. The deadline for Stakeholders to submit documentation is 7 days prior to Election Day. After that, they must register or complete their registration at the Election Day Polling location.

In order to maintain the integrity of the online voting process, Neighborhood Councils who verify voters with self affirmation must still require voters to provide photo identification to establish their identity both online and in person at the Election Day Polling location. Neighborhood Council who verify with documentation still need to provide such documentation online or in person at the Election Day Polling location.

Neighborhood Council Exit Polls or Surveys

Your Neighborhood Council can develop an exit poll or survey for the voters on the Election Day

to obtain information on how successful your outreach campaign was, what issues are important to them, etc. The survey cannot ask how the voters voted. The Neighborhood Council can set up a table within 100 feet of the polling place near the exit so long as the table does not block the flow of traffic. Any other organization or stakeholder with exit polls or survey must stay 100 feet outside of the polling place.

Phase 4 - Election Day

Timeline - Election Day

The Poll Manager will arrive on Election Day with an Election Kit, including a ballot box with lock, ballots, stakeholder registration forms, pens, paper, observer badges, volunteer badges, polling place signage, voting instructions, voting booths, ballots, colored paper for printing additional ballots, volunteer instructions, tally sheets, and report forms.

Poll Managers for Online Voting elections will bring an additional kit with items specific to the digital portion of the election.

The Poll Manager and poll workers will arrive to the polling place at least one hour before the polls open to set up the space. The IEA and Poll Manager will provide a layout for the polling place for easy access and flow for the voting process, including areas for:

- Registration
- Ballot Pick-Up
- Voting Booths
- Digital Voting Station (tablets, laptops or desktops)
- Ballot Box
- Information Kiosk
- Special needs voter accessibility

The Poll Manager will announce the opening and closing of the polls. At the close of the polls, after all ballots have been placed in the locked ballot box, the Poll Manager will take possession of the ballot box while volunteers set up the room for counting. If time and the number of ballots do not permit for counting at the polling place, the Poll Manager will take the ballot box back to the EmpowerLA office for counting with notice to the public as to when the tally will take place.

Poll Managers at Online Election polling locations will close the polls and secure the digital election equipment according to the process established by the Department, the City Clerk, and the Online Voting Vendor.

To Do: □ Come out and vote!

□ Volunteer to help at a Neighborhood Council Polling Place

Phase 5 - Vote Tally - Counting

Timeline – Election Day

When it is time to count the ballots, the Poll Manager will instruct and oversee the counting volunteers in the following steps:

- 1. The ballot box will be unlocked, and the ballots sorted according to color of ballot.
- 2. The stakeholder registration forms will be counted and quantities will be noted.
- 3. The total number of ballots will be counted and noted.
- The Poll Manager will divide the ballots into manageable amounts for counting, usually no more than 100 ballots.
- Volunteers will be divided into pairs (a caller and a marker). They are given pre-printed counting sheets: one volunteer calls the name of the person receiving a vote and the other marks down the vote on a tally sheet.

Online Voting results will be tabulated by the Online Voting Vendor in accordance with the process that is agreed upon by the Department, the City Clerk, and the Vendor. The results will be printed from the Online Voting system, once the polling place has closed. The tabulated results will then be posted outside the polling place in clear view for stakeholders.

To Do:	 Train volunteers to perform the tally process responsibilities
	 Notify witnesses of observer policy
	 Post the results of the tally process
	 Clean polling places and thank staff for their participation

The more volunteers available to help count, the faster the counting goes! Observers will be allowed in to watch the counting process so long as they do not interfere in the count.

After the count is over, the Poll Manager will package all election materials, including ballots and registration forms and return them to the IEA, who will also review the election materials. EmpowerLA will arrange the delivery of the election materials to the City Clerk on the next business day.

Within 24 hours, the IEA will post an unofficial bulletin announcing the tally of votes on the EmpowerLA website for public review and will also send the results to the Neighborhood Council. If there are provisional ballots, the deadline for submission of acceptable documentation is three (3) calendar days after the election. The IEA will verify or disqualify the provisional ballots and revise the tally of votes.

A Final Official Certified Canvass of Votes will be issued once there are no outstanding ballots to be verified. EmpowerLA will retain ballots, provisional ballots, stakeholder registration forms and tally sheets until after the deadline for challenges if there are no challenges or after the conclusion of arbitration of all challenges.

Phase 6 – Recounts and Challenges Timeline - 3-5 days after the election day

Recounts may be requested within three calendar days by 5 pm after the election. Challenges to the election are accepted within the five calendar days by 5 pm after the election.

Phase 7 - Seat the Board

Timeline - 30-60 days after the election day

After all challenges are resolved, the newly-elected Board will be seated at the next regularly scheduled Neighborhood Council board meeting so they can start working for their community!

Phase 8 - Train the New Board

Timeline - 30-90 days after the election day

It is important that all the new Board members know the policies and procedures for the Neighborhood Council system so they can operate effectively for their community. The EmpowerLA Leadership Academy will offer board orientation trainings. In addition, board members are mandated to take the state required ethics training, which is offered online on our website and live with the Office of the City Attorney. Funding training is also required of all board members. Some Neighborhood Council bylaws mandate training, too, within a certain time period or the board member will lose voting rights so check with your Neighborhood Council. Unless picked up by the Neighborhood Council board, all election materials will be destroyed ninety (90) days after the last region's election.

Election Policies

The policies set forth in this section are to supplement the Election Procedures and any other legal authorities over Neighborhood Council elections and supersede any inconsistent language in Neighborhood Council bylaws. The Department may refer back to the 2014 Neighborhood Council Election Policies or add policies as necessary in its administration of the elections.

I. Term Extension

The Department shall extend the current board terms set to expire in 2016 until after the certification of the Neighborhood Council's election or Selection results or the resolution of all official challenges, whichever date is later. All Neighborhood Council elections and Selections must be completed in 2016.

Board Affirmation

If, after the candidate filing verification deadline, there is only one or no candidate for every open board seat, the Department will hold a Board Affirmation at the next regularly scheduled board meeting affirming and seating the candidates in lieu of an election.

Write-in Candidates

There are no write-in candidates for the 2016 election cycle.

IV. Shortened or Extended Election Time

The standard election window on Election Day is four (4) hours. Neighborhood Councils can

request a six (6) hour window instead at no additional cost. If three (3) or fewer seats have no more than one (1) candidate, then EmpowerLA may hold a shortened election time of two (2) hours for the Neighborhood Council.

V. Online and Telephonic Voting

Neighborhood Councils offering Online and Telephonic Voting will also have a traditional polling location on Election Day. They can register voters well in advance of the online voting window, and voters will be notified when the voting window is open and will be notified three days in advance of its close. Online Voters can also vote at the polling location on Election Day. Voters who register on Election Day and vote at the polls will still be voting on a digital platform. The results will be tabulated by the Online Vendor, and the results will be posted at the polling location and online at EmpowerLA.org/Elections. Neighborhood Councils should also have the results on their website if applicable.

VI. Location Fee

Neighborhood Councils will be responsible for paying for fees for the rental of their polling place. EmpowerLA will reimburse Neighborhood Councils a polling place location fee of up to \$200. Any charges above this amount, including security or custodial fees, will be the responsibility of the Neighborhood Council.

VII. Election Schedule Deadline Conflict

Where possible, the Neighborhood Council election schedules will all follow the same general timeline, i.e. candidate filing begins 105 days prior to the election. The Department offices will not be open on weekends or holidays. As such, the Neighborhood Council Election Procedures deadlines shall be adjusted when necessary. Where the planned deadline falls on a Saturday, Sunday, religious or national holiday, the actual deadline date will be moved to the following City of Los Angeles business day.

VIII. Running Board Slates

A group of candidates may run as a slate so long as all candidates provide written consent to agreeing to be on the slate.

IX. Candidate Filing Information is Public Information

Since candidates for Neighborhood Council board seats are vying for public seats, candidate filing forms, which can include a candidate's contact information and qualifying information, are considered public information and subject to disclosure. Please note that a candidate's signature on the Candidate Filing Form is not subject to disclosure and will be redacted prior to fulfilling a California Public Records Act request.

X. Board Affirmation

If a Neighborhood Council fails to register enough candidates to have a competitive race, i.e. there is only one (1) candidate for each of the open seats, the election is cancelled, and the candidates are seated by Board Affirmation. The candidates will be seated at the Neighborhood Council's next regular meeting after the Final List of Certified Candidates has been released by the City Clerk. The outgoing board shall prepare an agenda where the first agenda item shall be the Board Affirmation by EmpowerLA, and the second agenda item shall be the election of the board Executive Officers if applicable. The candidates for the open board seats will be seated at the meeting by EmpowerLA. If there is not a regular meeting within thirty (30) days after the final verified candidate list has been released, then the outgoing board or EmpowerLA will hold a special meeting within fifteen (15) days after the release of the list instead to affirm the board.

If there are not enough candidates to constitute a quorum of the Neighborhood Council board, then the Board Affirmation will also be cancelled, and the Department will apply the Board of Neighborhood Commissioners Loss of Quorum Policy to seat a new board.

XI. Board Outreach after Candidates Are Certified

Once the Final List of Certified Candidates has been issued by the City Clerk, if a Neighborhood Council releases a newsletter or conducts any outreach listing the names of any existing board members, who are also candidates, the outreach materials must include the same information for all candidates, i.e. the non-board member candidates.

XII. Inspection of Forms

Please note that Stakeholder Registration Forms and ballots will only be made available for inspection after the Final Official Certified Tally of Votes is completed in order to ensure critical documents are available for use by staff when needed, to avoid any interference with the election process, and to avoid the possibility of duplication and/or fraud. The processed ballots and non-exempt information on the stakeholder registration forms will be provided within a reasonable amount of time after the date of the election. These documents will be destroyed ninety (90) days after the final regional election.

XIII. Candidate Filing Extensions

An extension to the Candidate Filing Registration deadline of an election region will only be considered if it can be established that an error by EmpowerLA and/or City Clerk caused a delay that impeded the election region's ability to field sufficient qualified candidates and that there is an outreach plan for the election region that will increase the number of candidate filings during the extended time frame.

Election Procedures

I. Introduction

These election procedures meet the minimum requirements to conduct Neighborhood Council board member elections pursuant to City Council policy and other standardized election procedures that may be issued by the Department.

II. Elections

For those NC's voting exclusively at the polls, the election will be a **Prepared Ballot Election**. In this election, candidates shall file prior to Election Day and will then be included on a printed ballot that is distributed to the voters on Election Day. Alternatively, for Neighborhood Councils voting online, the prepared ballot will be available in an electronic format.

- Proxy voting will not be allowed for this election.
- Voters may cast their ballots on the day, time and location indicated in the Neighborhood Council's 2016 Election Procedures Stipulation Worksheet.
- If a voter with a disability is unable to access the Polling Place, curbside voting will be provided as an option for that individual. On Election Day, voters can request curbside voting by calling the Elections Division Hotline at (818) 293-VOTE (8683).

III. Location

- A. The Neighborhood Council can provide an election location in its Board approved 2016 Election Procedures Stipulation Worksheet.
- B. Election locations should meet the following criteria:
 - Sufficient size to accommodate the voter sign-in process and actual voting activities.
 - 2. Sufficient parking for poll workers and voters.
 - 3. Convenient for those utilizing public transportation.
 - 4. Procedures must be in place to accommodate disabled voters and in compliance with the Americans with Disability Act (ADA).
 - Unbiased location for stakeholders and candidates.
 - 6. Available for the Neighborhood Council Election Day for at least two hours before and after the election start and finish.
- C. The election location or polling place will be published on the Department website at least thirty (30) days prior to the election and any change of location will be posted within 24 hours of the change.

IV. Neighborhood Council Boundaries

The boundaries of the Neighborhood Council are set forth in its bylaws. Where a map of a Neighborhood Council does not match the language provided in that Neighborhood Council's bylaws, the IEA shall defer to the written bylaws for clarification and revise the map in accordance with specific language in a given Neighborhood Council's bylaws.

In the event specific language is not specified in a Neighborhood Council's bylaws regarding how bordering boundaries are defined for a Neighborhood Council or its internal districts/areas/quadrants/zones, the City Clerk and IEA shall consider the middle of the road as the defining border for election-related purposes, such as candidate qualification and stakeholder (voter) verification. This will only apply when a Neighborhood Council has not specifically identified boundaries to include both sides of the street (road, avenue, boulevard) or to include or exclude any specific landmarks, parks or plots of land.

Specific voting districts will be followed within the above boundary definitions and will apply to candidate qualifications and voter qualifications.

v. Definition of Stakeholder

Neighborhood Council membership is open to all stakeholders. "Stakeholders" shall be defined as those who live, work or own property in the neighborhood and also to those who declare a stake in the neighborhood as a community interest stakeholder, defined as a person who affirms a substantial and ongoing participation within the Neighborhood Council's boundaries and who may be in a community organization such as, but not limited to, educational, non-profit and/or religious organizations (Ordinance No. 182830).

- All person(s) or entities that meet the criteria for the definition of stakeholder shall be eligible to vote in the election, either at the polls, online, or by telephone (if applicable).
- Stakeholders cannot be denied the opportunity to vote for a candidate for member of the governing Board for whom they are eligible to vote.
- Stakeholders cannot be denied the opportunity to run for a Board seat for which they hold stakeholder status unless otherwise prohibited by the Neighborhood Council bylaws.
- In order to cast a ballot in the election, a stakeholder must be the age on the date of the election as stated in the Neighborhood Council's 2016 Election Procedures Stipulation Worksheet and bylaws.

VI. Independent Election Administrator (IEA)

EmpowerLA will assign an Independent Election Administrator (IEA) to administer the elections in each Election Region. To serve as an IEA, the person(s) selected must have attended a training program conducted by the Department. An IEA may utilize the staff, material, equipment and facility resources of the Neighborhood Council, the EmpowerLA or City Clerk to assist them in carrying out the election administration duties, provided, however, that the following conditions are met:

- None of the candidates for the governing Board may participate in any way in the handling/counting of ballots, voter/candidate registration/verification, and/or assisting voters engaged in the act of voting in translating/interpreting the voting material or explaining the voting process.
- An IEA must maintain the authority and responsibility for the administration of the election.
- An IEA, in coordination with the EmpowerLA and City Clerk, shall be responsible for the following duties:
 - Conducting the Neighborhood Council elections according to the Neighborhood Council bylaws, 2016 Election Procedures Addendum and any other applicable legal documents.
 - Processing candidates, including verification of eligibility, in coordination with, and

- under the direction of the City Clerk.
- Assisting the region with any Candidate Information Sessions.
- Processing voters, including pre-registration and verification of eligibility as applicable.
- IEA supervises poll managers distributing and receiving ballots from the voters on Election Day.
- IEA supervises poll managers in verifying any provisional ballots.
- IEA supervises the counting and recounting of the ballots.
- IEA supervises the issuing of the election results.

VII. Candidates

A. Candidate Filing

- 1. Individuals interested in running for a Neighborhood Council board seat must file for their candidacy online on the EmpowerLA website (EmpowerLA.org/Elections) by the Candidate Filing Deadline which shall be no earlier than 105 days before Election Day and no later than 60 days prior to Election Day. All potential candidates will be notified via email by the City Clerk if their Candidate Filing Form is incomplete and the steps necessary to complete the candidate filing process.
- 2. All potential candidates must provide identification and any other applicable documentation to establish their stakeholder status for the position which they are applying to the IEA or by uploading the documents online. All candidates must provide all necessary documents within three days of the Candidate Filing deadline prior to 11:59 p.m. Faxed forms of identification will not be accepted.
- 3. Candidates may upload a Candidate Statement and photograph online no later than fifty-seven (57) days prior to Election Day.
- 4. Upon certification of a candidate, the City Clerk will dispose of all supporting electronic documentation submitted by each candidate for security purposes.
- City Clerk will have a record of which type of documentation was used for candidate verification after the disposal of supporting documents, i.e. if a California drivers license (CDL) was used to establish their candidacy, the report will show "CA Driver License" used for verification.

B. Candidate Seat Designation

- 1. Candidates in Neighborhood Councils must indicate which Open Seat they are filing for in order to become a certified candidate.
- 2. Candidates may qualify for more than one Open Seat and it is the candidate's responsibility to select the seat for which they are running. Some Neighborhood Councils allow candidates to run for more than one seat. If specified in the bylaws, then candidates can run for more than one seat. If the bylaws are silent, the candidates are limited to filing for one seat.
- 3. The deadline for submission of supporting documents and Open Seat designations is 11:59 p.m. fifty-seven (57) days prior to Election Day.

4. If a certified candidate withdraws from their Open Seat designation, they must reapply to qualify for that or any other open seat by the close of the candidate filing deadline.

C. Candidate Statements and Photos

- 1. Candidates are encouraged to submit statements and photos with when they file for candidacy. Candidate statements and photos are optional. The deadline for submission of photos and statements is 11:59 p.m. fifty-seven (57) days prior to Election Day.
- 2. Candidates may revise their statements and may resubmit their candidate photo any time prior to Candidate filing deadline of 11:59 p.m. fifty-seven (57) days prior to Election Day..
- 3. Candidate Statements must be submitted in writing online and may not exceed the 1,000 characters limit, including translation. Candidate statements are printed as submitted, with no editing. Additionally, a candidate may submit translated version(s) of the original statement, which must comply with all aforementioned criteria.
- 4. Candidate statements may not include any profanity or comments about other candidates.
- 5. Candidate statements may be submitted without an accompanying candidate photo, and candidate photos may be submitted without an accompanying candidate statement. Candidate photos must be submitted in a digital format in a file size of 2MB or less and with the dimensions of 200 pixels tall by 200 pixels wide.

D. Candidate Withdrawal

- 1. Candidates must withdraw forty-six (46) days prior to the election day in order to be removed from the ballot.
- 2. Candidates who wish to withdraw must do so using the Candidate Filing portal.
- 3. Once a candidate withdraws, the candidate's name, statement, and photos will be removed from the EmpowerLA website.
- 4. If a certified candidate withdraws from their Open Seat designation, they must reapply to qualify for that or any other open seat by the close of the candidate filing deadline. Candidates who wish to withdraw after the end of the withdrawal period must notify the NC of their request after Election Day.
- 5. Winning candidates who wish to withdraw after the canvass of votes must communicate with the respective Neighborhood Council and that action will result in a vacant seat, which will be filled by the Neighborhood Council in accordance with their bylaws. This is not a withdrawal handled by the City Clerk.
- E. Candidate Forums and Regional Candidate Information Sessions

- 1. Candidate Forums must be open to all candidates, and all candidates must get the same notice and notification of the event.
- 2. Candidate Forums must provide equal and even access to all candidates, including seating arrangements, speaking time, and opportunity to address topics.
- 3. Candidates who are unable to attend may submit a written statement, in advance, to the IEA, to be read during opening comments by the moderator and limited to the time specified for individual opening comments. They will not have the opportunity to address any other elements of the Forum, such as topics, issues, questions, and closing statement.
- Candidates or audience members who want interpretation services must make their request to the organization hosting the Forum at least 72 hours in advance of the event.
- 5. Signing services for the deaf must also be requested 72 hours in advance, but this request must be submitted to EmpowerLA who will arrange with the Department of Disability for sign interpretation.
- 6. Interpretation services that take place simultaneously (headsets or signing) do not extend any time limits for the speaker.
- 7. Interpretation services that are staggered (speaker then interpreter) will require twice the time limit for speakers since it takes twice as long to make the same statement as other speakers.
- 8. Questions from the audience must be moderated or controlled so that all candidates get an even opportunity to speak and to address the issues.
- 9. The Neighborhood Council may present Regional Candidate Information Sessions to assist candidates in their campaigns.
- F. Release of Candidate Information to Neighborhood Councils Upon request, candidate contact information shall be given to the IEA and the Election and Outreach Chairs of each Neighborhood Council no later than forty-five (45) days before Election Day. In the absence of an Election Chair, the President of each Neighborhood Council shall be the designated alternate to receive the candidate contact information. Where email addresses are not available for either of the two persons, the IEA will provide the candidate contact information to the Neighborhood Council upon request. Neighborhood Councils shall notify all candidates for any Candidate Forums to be conducted where the Neighborhood Council is a participant. The notification of candidates to participate in such events shall be the sole responsibility of Neighborhood Councils. Please note that a candidate's contact information, including his or her home address, home phone number, and email address is subject to disclosure if a California Public Records Act request is made. A candidate's signature will not be subject to disclosure.

VIII. Candidate and Stakeholder Verification

For this election, EmpowerLA and the City Clerk will accept forms of identification for

self-affirmation and documentation as prescribed by EmpowerLA's Neighborhood Council Election Acceptable Forms of Documentation. However, PO box addresses and storage facilities will not be accepted as a form of verification document for candidate and voter registration.

IX. Campaigning

- A. The use of the City of Los Angeles Seal, the Department, City Clerk or Neighborhood Council logo or any other official Neighborhood Council designation created by the Department is prohibited for use on candidate materials.
 - A logo is a graphic mark and/or emblem used by the City, a City department, or a Neighborhood Council that serves to facilitate immediate public recognition. A logo can consist of purely graphic symbols or icons, but can also consist of a logotype or word mark.
 - 2. Any use of a logo, regardless of intent, will be considered a violation of this article and the Neighborhood Council Election Procedures unless the logo is used as part of outreach material produced by the City, a City department, or the Neighborhood Council for the sole purposes of promoting the election. If such outreach material contains candidate names, all qualified candidates must be listed on the material.
 - 3. The purpose of this provision is to prevent candidates or supporters of candidates from campaigning under the expressed or implied endorsement or authorization of the City, a City department, or a Neighborhood Council and prevent voter confusion. Please note that any logo that is substantially similar to a City, City department, or Neighborhood Council logo may lead to voter confusion and may be subject to a challenge.
- B. The governing Board of the Neighborhood Council, acting in their official capacity as the governing Board, is prohibited from endorsing or campaigning for any candidate or group of candidates running for the governing Board of the Neighborhood Council. This provision does not restrict the right of individual Board members, acting as individual stakeholders, or any other stakeholders, from endorsing or campaigning for any candidate or group of candidates.
- C. No City facilities, equipment, supplies or other City resources shall be used for campaigning activities except:
 - 1. to hold a Candidate Forum sponsored by a Neighborhood Council;
 - 2. to hold a Neighborhood Council election; or
 - 3. if the individual has obtained approval from an authorized representative of a City Department or Commission (if managing a Department) for use of the facility.
- D. City resources may be used by a Neighborhood Council for impartially communicating with voters through the printing and mailing of a voter information pamphlet, which includes candidate statements and/or the posting of candidate statements on its website. To the extent that the Neighborhood Council provides candidate statements to the voters or Neighborhood Council mailing lists to candidates, all candidates shall be given access in a timely and uniform manner.

x. Electioneering

No campaigning or electioneering activities will be allowed within 100 feet of the Polling Place, which is measured from the door of the Polling Place where voters sign the roster and cast their ballots. Polling Place staff must place signs indicating where the 100 foot mark is located.

Electioneering includes:

- soliciting a vote or speaking to a voter on the subject of marking his or her ballot;
- placing any sign relating to any candidate;
- distributing or wearing material relating to any candidate; or
- placing a sign, distributing material, or conversing with a voter on the subject of the voter's qualifications to vote.

In addition, excessive noise and audio equipment that creates a nuisance to voters or staff within the 100 foot mark will amount to a violation of this policy. Vehicles that have a banner or placard soliciting a vote or recommending any candidate shall remain 100 feet beyond the building where voters are voting, except for the discharge or loading of passengers. Activities beyond the 100 foot mark are subject to the rules of the particular property owner and should be respected.

Any person or persons engaged in electioneering will be directed by polling place staff to cease and may be asked to leave.

XI. Ballot

- A. Ballot Order: The Department will randomly draw the letters of the alphabet to create the order the candidates shall be listed on the ballot. The candidates will be listed in such order according to the first letter of their last name.
- B. The City Clerk will use the candidate's legal name for the ballot. No completely fictitious name may be used on a ballot to refer to a candidate. If a candidate wishes a different name to appear on the ballot, the following format must be followed:
 - 1. The format for including nickname on the ballots is: First Name "Nickname" Last Name (i.e., Jonathan "Chico" Anderson).
 - 2. A shortened version of a name or a variation of a name will be allowed in lieu of a candidate's legal name. For example, instead of Jonathan Anderson, the candidate may use the name "John Anderson," or "Johnny Anderson" or "J. Anderson."
 - 3. Professional Degrees: Professional Acronyms shall not be used on a ballot. No name shall include professional distinctions such as: PhD, MSW, Esq., Rev., etc.
 - 4. In order for a name to fit on the ballot, all names appearing on the ballot must be a maximum of 26 characters/letters, including spaces and punctuations. The online filing system will automatically limit the number of spaces available.
 - 5. Where there is a conflict between the names provided as documentation or on documents provided to the IEA, the name entered into Candidate Filing system's "Name Appearing on Ballot" field will override.

XII. Self Affirmation for Homeless Voters

In Neighborhood Councils requiring documentation to verify voters, homeless voters will be exempt from providing such documentation if they affirm that they are homeless and that they meet the voter requirements for the seat(s) for which they are voting.

Homeless Voters for Online Voting Registration

- Homeless voter with identification documentation and an email address can:
 - 1) Register online
 - 2) Indicate homeless status
 - 3) Receive pin by email
- Homeless voter with identification documentation and an mailing address can:
 - 1) Register Online
 - 2) Indicate Homeless Status
 - 3) Receive pin by mail
- Homeless voter with no identification documentation and an email address can:
 - 1) Register in person with an Independent Election Administrator (IEA)
 - 2) Indicate homeless status
 - 3) Receive their pin by email
- Homeless voter with no identification documentation and a mailing address can:
 - 1) Register in person with an Independent Election Administrator (IEA)
 - Indicate homeless status
 - Receive their pin by mail
- Homeless voter with no identification documentation, no email address or mailing address can:
 - 1) Register in person at the Polling Location on Election Day
 - 2) Vote in person at the Polling Location on Election Day

XIII. Polling Place Operations

Only poll workers and voters engaged in voting may be within the voting booth area during the time the polls are open.

A. Curbside Vote: If a voter with a disability is unable to access a polling place, a volunteer who is designated by the Department shall hand-carry a ballot and a Stakeholder Registration Form (if needed) to any physically challenged voter at the polling site for completion in the general area of the polling site. Once marked, the ballot shall be placed into an envelope, and then the envelope shall be sealed. The volunteer shall return the completed Stakeholder Registration Form to the poll workers for processing, and the sealed envelope containing the ballot shall be deposited into the ballot box.

- B. Observers: Prior to opening, all Observers must wait outside while the poll workers set up the Polling Place. Observers will be permitted to enter the Polling Place once the polling site officially opens for voting. All Observers must sign in with Staff. A badge will be issued and must be worn at all times. When leaving for the day/evening, the Observer must sign out and return the badge to the Poll Manager.
 - Observers may not interfere in the election or the voting process. Observers cannot assist in operations, touch or handle any ballots or other election-related materials.
 - Observers may not talk to or solicit voters in the Polling Place.
 - Observers are allowed to videotape Polling Place operations pursuant to Article XXI.
 Videotaping.
 - Candidates are not permitted as Observers at the Polling Place on Election Day.
 - Observers have the right to ask poll workers questions regarding election procedures
 and to receive answers or be directed to the appropriate official for responses to
 questions. If, however, persistent questioning disrupts the execution of their duties, the
 poll workers can stop responding and direct the observers to the Poll Manager for all
 further answers. If disruptions persist, the Observer may be asked to leave the polling
 place.
- C. Provisional Voting: A voter may cast a provisional ballot if the voter's eligibility to vote in the election cannot be determined in favor of the voter at the time the voter attempts to cast his or her ballot. The only acceptable basis for challenging a voter's right to vote at the Polling Place will be that the person is not a stakeholder as defined by the Neighborhood Council bylaws.
 - If a voter is challenged on the basis of insufficient documentation, the voter may produce any of the documentation outlined in these Election Procedures at which time the voter will be issued a regular ballot.

If a voter cannot produce the required documentation, then the voter will be offered the opportunity to vote a provisional ballot. The provisional ballot will be the same as regular ballot, except that prior to placement in the ballot box the provisional ballot will be placed inside a provisional envelope. On the outside of the envelope the voter will provide:

- 1. The voter's name.
- 2. The voter's address.
- 3. The voter's stakeholder status.
- 4. The voter's contact number(s), e.g. mobile or other telephone number.
- 5. The voter's email address
- 6. When a voter casts a provisional ballot, the voter will be issued instructions that explain what steps the voter must take to qualify the provisional ballot, including documentation required to be submitted, where the documentation is to be submitted, and a contact number to request assistance or seek additional information. The deadline for submission of acceptable documentation shall be three (3) calendar days after the election. EmpowerLA and the City Clerk will be responsible for the verification of the provisional ballots.

XIV. Vote-By-Mail

For an additional fee, a Neighborhood Council may decide to offer Vote-by-Mail to its stakeholders, but only if they have selected self-affirmation as its method for establishing stakeholder status. If this is offered, all stakeholders are eligible to Vote-by-Mail.

Vote-by-Mail applications will be available when online stakeholder registration begins and shall include instructions describing how to complete the application. Vote-by-Mail applications may be submitted using an online Vote-By-Mail application portal available at www.empowerLA.org.

Vote-By-Mail ballots will begin to be mailed to voters thirty days prior to the region's Election Day. The deadline for submission of Vote-by-Mail applications is eight (8) days prior to the election day. The deadline to return Vote-By-Mail ballots is the last business day prior to Election Day. Vote-By-Mail ballots can also be delivered to the polling place on Election Day prior to the close of polls.

The City Clerk will oversee and approve the preparation and distribution of a Vote-by-Mail application, which contains spaces for the following information:

- The name and residence address, or business or organization affiliation address of the stakeholder.
- The name and address to which the ballot is to be mailed, if different than the residence or business or organization affiliation address.
- The stakeholder/voter's signature.
- The stakeholder status of the voter.
- Instructions relative to the completion of the online application.
- The name and date of the election for which the application is being submitted.
- The date on or before which the application must be received.

Candidates may distribute Vote-by-Mail applications, but shall not handle the return of the applications or the Vote-by-Mail ballots. No candidate, individual, or group may handle distribute, collect, complete, or submit completed or blank Vote-by-Mail applications on behalf of another person. Applications completed, collected, or submitted on behalf of another person will not be accepted. Vote-by-Mail applications may, however, be requested on behalf of a family member or domestic partner who live within the same household.

The City Clerk will maintain lists of all persons issued a Vote-by-Mail ballot, and all those returning a Vote-by-Mail ballot must be prepared and provided to the person(s) managing the polling site(s) for use in the voter sign-in process.

A voter will not be allowed to retrieve and destroy a previously submitted Vote-by-Mail ballot and then be issued and vote a regular election day ballot.

XV. Tabulation of Votes and Election Certification

For at-poll only elections, EmpowerLA will be responsible for tabulating the ballots and announcing the unofficial results on election day or as soon thereafter as possible. For electronic voting, Everyone Counts will tally online votes and provide the results to EmpowerLA at the close of the at-poll election. EmpowerLA will combine the online votes with at-poll votes and announce the unofficial results on election day or as soon thereafter as possible. The City Clerk will verify any provisional ballots for inclusion in the Final Official Certified Canvass if Votes.

The Final Official Certified Canvass of Votes shall occur on Election Day at the polling place barring the need to count any additional outstanding ballots. The canvassing of votes will be open

to the public, including candidates, for observation, provided that the observers must not interfere with or attempt to influence the vote tabulation in any way.

Tie votes shall be resolved by drawing straws immediately after the canvassing of votes if all candidates or their designated representatives are present or within two (2) calendar days with notice provided on the Department website. The IEA or other EmpowerLA staff will conduct the tie resolution in public view and candidates or their designated representatives will be requested to be present.

The IEA will submit the Final Official Certified Canvass of Votes to the Neighborhood Council.

EmpowerLA will post the Final Official Certified Canvass of Votes on the EmpowerLA website immediately upon completion.

XVI. Challenges

Candidate Review Process

All requests for the review of a Candidate's certification status will be filed, reviewed and resolved by the Office of the City Clerk. Requests for the review of a Candidate's certification status may be filed from the time a candidate is certified on the EmpowerLA website through ten (10) days after the close of the Candidate Filing Period for that Candidate's region. Any existing Candidate filing documents may be examined in person at the City Clerk's Election Division Office.

The Candidate Review Request must be submitted in written and must meet the following requirements:

- 1. Include the requestor's name
- 2. Include the requestor's address
- 3. Include the requestor's phone number
- 4. Include the requestor's email
- 5. Description of Why the Candidate's Certification Should be Revoked
- 6. Provide supporting documentation that the candidate is not qualified (none will be accepted after the request is filed)
- 7. Challenges without supporting documentation will automatically be rejected.

Requests for Candidate reviews shall be sent to the Office of the City Clerk - Election Division at clerk.election@lacity.org. Requests shall be processed by the Office of the City Clerk - Election Division. If a candidate's certification is revoked, and the document submission deadline has not elapsed, the candidate will have until the deadline for submission of supporting documents to provide additional documents. If a candidate's certification is revoked between the deadline for submission of supporting documents (57 days prior to election day) and the close of the candidate review period (50 days prior to election day), the candidate will have 24 hours to provide additional documentation. Requests for candidate reviews will not be accepted after the candidate review period has ended.

Election Challenges

Any stakeholder who voted and submits the same stakeholder documentation required of the voters in an election may file a challenge to the conduct of that election no later than 5 p.m. on the 5th calendar day after that election by filing an election challenge on the EmpowerLA Election

Challenge Portal (http://empowerla.org/election-challenge-process/). In addition to the information below, specific instructions regarding how to file a challenge and how the challenge will be handled are provided on the Portal.

The written request must meet the following requirements:

- 1. Identify the basis for the challenge to the election.
- 2. Identify the person(s) issuing the challenge and their contact information.
- 3. Identify up to 3 witnesses and provide their statements via a Witness Statement Form provided here.
- 4. Provide all supporting documentation, including any witness statements (none will be accepted after the request is filed).
- 5. The supporting documentation must prove that the alleged challenge is not only valid, but would also have made a difference in the election outcome. Challenges without such supporting documentation will automatically be rejected.

All of the submitted information is public information and will be listed on our elections website even if the challenge is withdrawn later.

Election challenges will be handled by the Neighborhood Council Grievance Panels if they meet the requirements.

The following is a list of challenges that the Department will and will not process:

Challengeable:

- Incorrect Ballots (which caused voters to vote either significantly more or less for a qualified or incorrect candidate)
- Electioneering by Candidate(s)
- Ballot Duplication (by a candidate or stakeholder)
- Explicit Use of City logo(s) for Campaign Materials by Candidate(s) (including LA City, EmpowerLA logo, Neighborhood Council logo, and any other City department logo)
- Neighborhood Council Board Endorsement of a Candidate or Slate of Candidates
- Neighborhood Council Outreach Materials Where Only Existing Board Member Candidates Are Mentioned after Candidates Are Certified
- Americans with Disabilities Act (ADA) Accessible Facility (if curbside voting was not available)
- Illegal Collection of Vote-by-Mail Ballots
- Multiple Voting any voter who casts multiple ballots in one Neighborhood Council election illegally

Any area not listed above is non-challengable, including, but not limited to:

- Lack of Outreach (outreach performed by a Neighborhood Council, the Department, or any other City entity)
- Published Articles (challenges based on election information published in media such as the Internet [including blogs], newspaper[s], or any other type of media)
- Translated Election Material
- Candidate Forums
- Polling Place or Pop Up Poll Location Selection
- Change of Polling Place or Pop Up Poll Location
- Email Forwarding of Neighborhood Council "Get Out To Vote Material" or Emails.

- Ballot Design
- Neighborhood Council Endorsed Election Procedures/Policies
- Neighborhood Council Bylaws (Received from the Department by deadline)
- Neighborhood Council Endorsed Polling Place or Pop Up Poll Suggestions
- Stakeholder Qualifications to Vote (Neighborhood Council Bylaws or Election Procedures Stipulation Worksheet)
- Department Approved Outreach Material
- Candidate Slate(s)/Slate Flyers
- Campaign Expenditure(s)
- Volunteer Poll workers or Poll worker Bias
- Use of Police and/or Security at Polling Place or Pop Up Poll
- Voter Intimidation
- Error in Voting Instructions
- Lack of Necessary Voting Materials
- Voters Threatened by Candidates
- Electioneering by Stakeholder(s) or at Pop Up Polls
- Voter Instructions
- Known Factors Prior to Election Day (such as: polling place bias because a candidate works at the location, language translators, etc.)
- Language assistance or lack thereof at Polling Place or Pop Up Poll
- Use of LA City, EmpowerLA logo, or Neighborhood Council logo when it is used on a
 website as identification purposes for an active link to click through to the City,
 EmpowerLA or Neighborhood Council website, social media page, etc. for more
 information
- Endorsements and Sample Ballots created by and/or distributed by stakeholders or candidates that ask voters to vote for a specific candidate or candidates

Challenge Remedies

If a challenge is found to be valid, remedies will be narrowly interpreted to affect only the voters, candidates, or seats affected. Redoing the entire Neighborhood Council election is not a remedy unless the challenge affected every seat on the ballot. Remedies can include, but are not limited to, letters of correction/reprimand, disqualification of candidates or voters, Neighborhood Council funding penalties and referral to the City Attorney's Office for criminal prosecution.

XVII. Recounts

A recount of ballots will be conducted by the IEA, by request only, for the purpose of verifying the number of votes counted for any Board seat in a Neighborhood Council election.

Any stakeholder who meets the criteria listed below may request in writing, including email, a recount for a specific contest or for the entire election for a Neighborhood Council election within three (3) calendar days after the election.

For a recount request to be accepted for action, the following criteria must be met:

- 1. The number of votes separating the candidates in question must be 10% or less of the total votes cast in that specific contest, and;
- 2. The stakeholder(s) filing the request must have voted in the election in question and must provide the same stakeholder status verification required of voters in the election.
- 3. A recount must start no later than five (5) City of Los Angeles business days following the

receipt and acceptance of a request and will be open to the public. A notice announcing the date, time, and location of the recount will be posted on the Neighborhood Council and Department websites and all candidates for the Board seat(s) being recounted will be notified.

4. The recount will be open to public observation provided that observers must not interfere with or in any way attempt to influence the persons conducting the recount.

The IEA will certify and forward the recount results to the Neighborhood Council and EmpowerLA immediately upon completing the recount. The results of an election are considered changed only if the identity of any person who had been declared elected is changed.

XVIII. Notice of Vacating Multiple Seats

This article is applicable where a candidate is elected to multiple board seats on the same Neighborhood Council board at the same election and where the Neighborhood Council allows candidates to run for more than one board seat at a time.

Where a candidate seeking multiple board positions on a Neighborhood Council board is the winning candidate for more than one of those positions, the candidate will be required to choose one board position no more than three (3) calendar days after the posting of the official results or from the day when any and all election recounts and challenges are resolved for the specific Neighborhood Council election, whichever date is later.

The declined position(s) shall be filled with the next candidate who received the most votes, or if none, the vacancy shall be filled according to the Neighborhood Council bylaws.

Where the candidate does not select one board position by the deadline, the candidate will be deemed ineligible for all positions won as the result of the election, except for the one position where the candidate received the most votes.

XIX. Outreach for the Election

Neighborhood Councils may set up a table to conduct exit polls and surveys within the 100 foot mark as directed by the Department.

Neighborhood Councils are responsible for informing their stakeholders about the election. EmpowerLA will assist in outreach by providing information about the elections on its website.

xx. Videotaping

Videotaping and photography is permitted in the Polling Place on Election Day under the following conditions:

- Video/Photography is only permitted with the expressed permission of everyone at the polling place.
- Polling Place staff may not withhold permission to be photographed.
- Video/Photography will not be of voter's faces.
- Video/Photography will not be of a voter making their ballot choice.
- All persons taking video or photographs are required to sign in with the Polling Place staff and provide contact information.

Ballots may not be recorded or photographed.

XXI. Seating of Newly Elected Board Members

- A. The seating of a newly-elected Neighborhood Council board will take place when:
 - 1. EmpowerLA has issued certified election results for the Neighborhood Council; and,
 - 2. All official election challenges for the Neighborhood Council have been resolved.
- B. The board must be seated as a single unit. No partial and/or interim seating is allowed. Where a single challenge to a single seat has not been resolved, the rest of the board cannot be seated.
- C. The elected board shall be seated at the next regularly scheduled Neighborhood Council meeting within thirty (30) calendar days of the criteria in Section A being met. The first order of business shall be to officially seat the newly-elected board. All powers shall immediately be transferred over to the newly-elected Board.
- D. Where a regularly scheduled meeting is not scheduled within thirty (30) calendar days of the certification of the election results and the resolution of all official election challenges, the outgoing board or the EmpowerLA will call a special meeting within fifteen (15) calendar days of the aforementioned criteria being met in accordance with the Brown Act to seat the Board. EmpowerLA shall preside over the meeting where the first order of business shall be to officially seat the newly-elected board. All powers shall immediately be transferred over to the newly-elected board.
- E. Until such time as the EmpowerLA has issued certified election results and all official election challenges have been resolved for the Neighborhood Council, the incumbent board members will continue in their duly elected/appointed positions.

XXII. Translation and Language Assistance

The following documents are available for translation: Stakeholder Registration Form, online voting, and At-Polls Voting Instructions. Translation requests will be limited to two (2) languages other than English and Spanish per Neighborhood Council.

The Department will provide language assistance on Election Day upon the request of the Neighborhood Council board. Voters may bring their own interpreters/translators on Election Day to assist them so long as the interpreters/translators sign in at the Election Registration Table.

XXIII. Exit Polls and Surveys

Stakeholders, news media, or other organizations wishing to conduct a survey, exit poll, or other survey of the voters on Election Day will be permitted to do so subject to certain limitations.

Any person or group conducting surveys, exit polls, or other survey of voters are advised to remain at least 100 feet from the door of the polling place. Surveys and exit polling will be permitted as long as it does not interfere with the voting process. Candidates are prohibited from participating and conducting surveys, exit polls, or other survey of voters on Election Day.

Any person or group conducting a survey or exit poll is required to coordinate with the Polling Place Manager and to be respectful of poll worker priorities. All persons conducting a survey, exit poll, or other survey of voters on Election Day are required to sign in with the Polling Place staff, provide contact information, and wear a name tag for identification purposes. Polling place staff will indicate where the 100 foot mark is located with visible signage. In addition, every voter has the right not to disclose how he or she may have voted.

XXIV. Governing Board Member Seats Not Filled Through the Election

Any board member seat(s) that is/are not filled through the election process will be deemed vacant when the new governing board takes office. Vacant seat(s) will be filled according to the Neighborhood Council bylaws. If less than a quorum of the board seats are filled, then the Neighborhood Council will fall under the Board of Neighborhood Commissioners Loss of Quorum Policy.

XXV. Release of Election Materials

Immediately after the certification of election results for the final region, the City Clerk - Election Division shall make the following items available for pick up by the Neighborhood Council:

 Stakeholder Registration Forms (excluding stakeholder documentation) for any at polls voters

The City Clerk - Election Division shall retain all other election-related materials for a period of three months after the certification of election results after the final regional election. Thereafter, NC election-related materials will be destroyed. No NC election-related materials will retained after the three month retention period.

The newly-elected board shall designate an individual to pick up the above-mentioned material on behalf of the Neighborhood Council at a prior board meeting. The designated individual shall contact the City Clerk - Election Division to schedule an appointment to pick up the materials. All documents retained by the Neighborhood Council shall be subject to the California Public Records Act for the length of time the documents are retained by the Neighborhood Council.

XXVI. Public Records Act

This is to notify all stakeholders of the policy regarding California Public Records Act (CPRA) requests for materials used in Neighborhood Council elections. Under the CPRA, a member of the public can make a valid request for public documents either in writing (including e-mail) or orally. The CPRA requires the disclosure of governmental records to the public, subject to certain exemptions.

Certain information on governmental records may be redacted: home street addresses; home telephone numbers; private e-mail addresses; signatures; or any other identifying information as determined by the Office of the City Attorney.

The following are examples of what information is subject to disclosure and what information must be redacted prior to fulfilling a CPRA request for Neighborhood Council elections:

- Stakeholder Registration Forms and ballots will only be made available for inspection after the Official Canvass is completed in order to ensure critical documents are available for use by staff when needed, to avoid any interference with the election process, and to avoid the possibility of duplication and/or fraud.
- The processed ballots and non-exempt information on the Stakeholder Registration Forms will be provided within a reasonable amount of time after the date of the election.
- In regard to the Stakeholder Registration Forms, the following information will be redacted prior to fulfilling a CPRA request:

Since candidates for Neighborhood Council board seats are vying for public seats, candidate filing forms, which can include a candidate's contact information and qualifying information, are considered public information and subject to disclosure. All candidates must provide documentation to establish their stakeholder status for the position which they are applying. Any documentation submitted by a candidate and retained by the City Clerk will be disposed upon the certification of a candidate.

Election Challenges are subject to disclosure as a public record. When requested, the name of the person filing the challenge and the grounds for filing the challenge must be disclosed. Any documentation submitted by a challenger to support his or her challenge is subject to limited disclosure.

Once a CPRA request is made, the Department will have ten (10) calendar days to respond to the request, indicating what will or will not be disclosed, the reasoning behind any decisions made, and, if applicable, the total fee for requested copies. Please note that an additional fourteen (14) calendar days to respond may be allowed if warranted by special circumstances. This ten (10) calendar day period is not the period of time in which the request must be fulfilled, but rather, the period of time in which to notify the requesting party what information will be disclosed.

Redactions must be made when members of the public view the requested materials in person and when copies are made and provided to the public. When viewed in person, the public may examine and take notes of the redacted material, but may not have access to any exempt information. When fulfilling an in-person request, a member of the staff will remain present at all times to supervise the viewing and to answer any questions that may arise.

In the event that photocopies of materials are requested, the City Clerk or the EmpowerLA will charge \$0.10 for each photocopy. Payments can be made in person or sent to the City Clerk at 555 Ramirez, Space 300, Los Angeles 90012 or to Department of Neighborhood Empowerment, 20th Floor, City Hall, 200 N. Spring Street, Los Angeles, CA 90012, prior to the copies being made. Checks should be made out to the City of Los Angeles.

XXVII. Disposition of Election Records

The City Clerk shall retain all election related materials for a period of ninety (90) days after the conclusion of the last regional election day. All election-related materials will be made available to the public in accordance with the CPRA and subject to Article XXIV. After ninety (90) days of retention by the City Clerk, all Neighborhood Council election-related materials will be disposed.

Section	Old Language	Revised Language
VII. C. (3. Candidate Statements must be submitted in writing online and may not exceed the 1,000 characters limit (translations not included). Candidate statements are printed as submitted, with no editing. Additionally, a candidate may submit translated version(s) of the original statement, which must comply with all aforementioned criteria.	exceed the 1,000 characters limit, including translation. Candidate statements are printed as submitted, with no editing. Additionally, a candidate
XI.(p 15)	XI. Board Outreach after Candidates Are Certified - Once candidates are certified, if a Neighborhood Council releases a newsletter or conducts any outreach listing any existing board members, who are also candidates, the outreach materials must include the same information for all candidates, i.e. the non-Board member candidates. In this respect, the City Clerk recommends that promotional pieces that include the list of candidates be distributed after the Final List of Certified Candidates has been issued (45 days prior to Election Day).	Once the Final List of Certified Candidates has been issued by the City Clerk, if a Neighborhood Council releases a newsletter or conducts any outreach listing the names of any existing board members, who are also candidates, the outreach materials must include the same information for all
XI. (p 9)	Candidate Forums - Each Neighborhood Council may present any number of Candidate Forums or arrange for forums sponsored by other organizations, such as a Chamber of Commerce or other regional Neighborhood Council organizations. Each forum, however, must ensure that each and every certified candidate is provided equal time and exposure. In this respect, the City Clerk recommends that promotional pieces that contain lists of certified candidates be distributed after the Final List of Certified Candidates has been issued (45 days prior to Election Day). Advertise your candidate forum to increase attendance.	Each Neighborhood Council may present any number of Candidate Forums or arrange for forums sponsored by other organizations, such as a Chamber of Commerce or other regional Neighborhood Council organizations. Each forum, however, must ensure that
XIII (p 15)		An extension to the Candidate Filing Registration deadline of an election region will only be considered if it can be established that an error by EmpowerLA and/or City Clerk caused a delay that impeded the election region's ability to field sufficient qualified candidates and that there is an outreach plan for the election region that will increase the number of candidate filings during the extended time frame.

Neighborhood Council	Region	Election	Selection	Online Voting Build	Seats	# of Board Seats	Youth Seat	# of Alternates	Minimum Voting Age	Self-Affirmation	Documentation	Number of Ballots	# of Internal Boundries	
Arleta	1	yes	no	No	All	1	7	2	0	14 no	yes		1	0
Foothill Trails District	1	yes	no	No	All	1	5	0	0	18 yes	no		2	6
Mission Hills	1	yes	no	No	Staggered	1	.4	1	1	18 yes	no		2	0
North Hills East	1	yes	no	No	All	1	.5	1	4	14 yes	no		2	4
Pacoima	1	yes	по	No	All	1	.7	1	0	16 yes	no		1	D
Panorama City	1	yes	no	Yes	Staggered	1 2	21	0	5	18 no	γes		2	5
Sun Valley Area	1	yes	no	No	Staggered	1 2	25	0	0	18 yes	no		2	0
Sunland-Tujunga	1	yes	no	No	All	- 2	22	0	4	16 по	yes		4	4
Sylmar	1	yes	no	Yes	All		21	1	0	14 yes	no		1	0
Chatsworth	2	2 по	yes	No	Staggered	1 :	21	0	0	18 yes	по		1	0
Granada Hills North	2	2 yes	no	No	All		25	1	0	18 no	yes		13	3
Granada Hills South	2	2 yes	no	No	All		21	1	0	16 no	yes		13	0
North Hills West		2 yes	no	Yes	All		13	0	0	18 yes	no		3	0
Northridge East		2 yes	no	Yes	Ali		15	1	3	18 no	yes		1	0
Northridge South	N. Carrier	2 no	yes	No	All		15	1	1	16 yes	no		1	0
Northridge West	the same of the last of the la	2 yes	no	Yes	Staggere	Victoria de la companya della companya della companya de la companya de la companya della compan	No. of the last of	0	1	16 no	yes		1	0
Porter Ranch		2 yes	no	Yes	Staggere			0	0	18 no	yes		1	0
Canoga Park	-	3 yes	no	Yes	Staggere			2	0	18 no	yes		2	0
Encino	The same of the sa	3 yes	no	Yes	All			0	21	18 no	yes		8	7
Lake Balboa		3 yes	no	Yes	All			1	0	18 yes	no		2	0
Reseda		3 yes	no	Yes	Staggere			1	0	16 yes	no		1	0
Tarzana	The second liverage and the se	3 yes	no	No	All		21	0	0	18 no	yes		3	2
West Hills	The second second second second	3 yes	no	Yes	Staggere	the state of the s	25	0	1	16 no	yes		1	0
Winnetka		3 yes	no	No	Staggere		15	1	0	16 yes	no		1	0
Woodland Hills-Warner Center		3 yes	no	2018 Online Elections	Staggere		22		21	18 no	yes		4	- 7
Greater Toluca Lake		4 yes	no	No	All	The state of the s	14	0	0	18 yes	no		=1	0
Greater Valley Glen	The second second second	4 yes	nο	Yes	All		25	0	0	16 yes	ho		13	6
Mid-Town North Hollywood	the second second second second second	4 yes	no	No	All		23	0	1	18 no	yes		2	5
North Hollywood Northeast	The second name of the second	4 yes	no	Yes	Staggere	ad	15	0	0	16 yes	no		2	0
North Hollywood West		4 yes	no	No	Staggere		15	1	0	16 yes	no		1	0
Sherman Oaks	process of the last of the las	4 yes	no	No	Stagger		21	0	0	18 no	yes		4	7
Studio City	the same of the last of the la	4 yes	no	Yes	All	au .	16	1	0	18 no	yes		7	(
Valley Village		4 yes		No	Stagger	a d	15	0	0	18 no			1	- (
Van Nuys			no			The second secon	21	1	0		yes		1	-
DOCTORAGE CONTRACTOR AND ADDRESS OF THE SECOND PROPERTY OF THE SECON	The second liverage and the second	4 yes	no	No	Stagger	ed	Address of the last of the las			16 yes	ho		1	
Central Hollywood	to the said to the said to	5 yes	no	No	All		9	0	0	16 yes	no			- 1
East Hollywood		5 yes	no	2018 Online Elections	All		18	1	0	16 yes	ho		1	1
Greater Wilshire		5 yes	no	No	IfA		21	0	21	18 no	yes		21	
Hollywood Hills West		5 yes	по	2018 Online Elections	All		23	0	0	18 yes	no		10	
Hollywood Studio District		5 yes	no	No	All		20	0	0	16 no	yes		1	
Hollywood United		5 yes	no	2018 Online Elections	Stagger	ed	20	0	0	16 yes	no		1	
Mid City West		5 yes	no	Yes	All		35	0	0	16 yes	по		1	
PICO		5 yes	по	2018 Online Elections	Stagger	ed	24	1	0	18 yes	по		6	1
Downtown LA		6 yes	no	Yes	All		24	0	24	16 no	yes		7	
Historic Cultural		6 yes	no	Yes	All		33	1	0	15 no	yes		7	
MacArthur Park		6 yes	no	No	All		17	0	D	16 yes	no		1	
Olympic Park		6 yes	no	Yes	All		19	1	1	16 yes	no		1	
Pico Union		6 yes	no	No	Stagge	red	15	0	0	18 no	yes		1	
Westlake North		6 yes	no	No	All		15	2	0	16 yes	no		2	

Neighborhood Council	Region Election	Selection	Online Voting	Seats	# of Board Seats	Youth Seat	# of Alternates	Minimum Voting Age	Self-Affirmation	Documentation	Number of Ballots	# of Internal Boundries	
Westlake South	6 yes	по	No	All	1	5	0	1	18 no	yes		2	0
Wilshire Center-Koreatown	6 yes	no	2018 Online Elections	All	2	6	0 (0	18 no	yes		7	5
Atwater Village	7 yes	no	2018 Online Elections	All	1	7	0	1	16 yes	no		1	3
Echo Park	7 yes	по	Yes	All	2	1	0 (0	16 no	yes		6	5
Elysian Valley Riverside	7 yes	по	2018 Online Elections	All	1	5	0	1	16 yes	no		2	0
Los Feliz	7 yes	no	2018 Online Elections	Staggered	1	9 (0 (0	13 yes	по		5	5
Rampart Village	7 yes	no	No	All	1	1	1 (0	18 no	yes		3	٥
Silver Lake	7 yes	no	Yes	All	2	1	0 (0	14 no	yes		7	7
Arroyo Seco	8 yes	no	No	All	2	1 1	D (0	16 yes	no		6	5
Boyle Heights	8 yes	no	No	All	1:	9 (0 ()	18 yes	no		5	4
Eagle Rock	8 yes	no	No	All	1:	9 .	1 1)	16 no	yes		2	4
Glassell Park	8 yes	no	Yes	All	1	5 (0 1	0	18 no	yes		1	7
Greater Cypress Park	8 yes	no	No	All		9 (0 1)	14 yes	no		1	0
Historic Highland Park	8 yes	no	Yes	All	1	9 () :	1	16 no	yes		1	0
LA 32	8 yes	no	Yes	All	1.	5 () ()	18 yes	no		5	4
Lincoln Heights	8 yes	no	Yes	Staggered	2	6 :	2 ()	13 no	yes		1	7
CANNDU	9 yes	กо	2018 Online Elections	Staggered		9 () ()	18 yes	no		2	0
Central Alameda	9 yes	no	Yes	All		9 :	1 ()	12 yes	no		1	0
Empowerment Congress Southeast	9 yes	по	Yes	Staggered	1!	5 () ()	18 yes	no		1	3
Empowerment Congress Southwest	9 yes	no	Yes	All	13	3 :	1 ()	16 yes	no		1	0
South Central	9 yes	по	No	Staggered		9 :	1 ()	18 yes	no		2	0
Voices	9 yes	no	No	All	1!	5 :	1 ()	16 yes	no		5	4
Watts	9 yes	no	2018 Online Elections	Staggered	2:	1 :	1 ()	14 yes	no		6 1	10
Zapata-King	9 yes	no	Yes	Staggered	1:	1 :	l :	l .	16 yes	no		2	0
Empowerment Congress Central	10 yes	no	2018 Online Elections	All	15	5 () ()	16 no	yes		2	0
Empowerment Congress North	10 yes	no	Yes	All	15) 4	1	16 yes	no			3
Empowerment Congress West	10 yes	по	Yes	All	1!	5 () ()	16 no	yes		3	3
Mid City	10 yes	no	Yes	Staggered	23	3 () 1		18 yes	по))	1 1	11
Park Mesa Heights	10 yes	no	2018 Online Elections	Staggered	15	5 1	L ()	14 yes	no			0
United Neighborhoods	10 yes	no	2018 Online Elections	Staggered	23	3 () ()	14 yes	no		7	6
West Adams	10 yes	no	2018 Online Elections	Staggered	13	3 :	l ()	18 no	yes		4	0
Bel Air-Beverly Crest	11 no	yes	No	All	30) () 2	?	18 no	yes			0
Del Rey	11 yes	no	Yes	All	15	5 () ()	16 no	yes		9	8
Mar Vista	11 yes	กอ	No	All	13	3 () ()	18 yes	no		7	6
Palms	11 yes	no	Yes	All	13	3 () ()	16 yes	no			8
South Robertson	11 yes	no	Yes	Staggered	25	5 1	L C)	15 yes	no		The state of the s	10
Venice	11 yes	no	No	All	21	L C) ()	16 no	yes		3	4
West Los Angeles Sawtelle	11 yes	no	No	Staggered	15	5 () ()	18 no	yes		_	4
Westchester-Playa	11 yes	no	No	Staggered	31	L (18 no	γes			15
Westside	11 no	yes	No	All	17	7 (17	'	16 no	yes	1	1 1	10
Westwood	11 yes	no	No	All	19) () ()	17 yes	no			0
Central San Pedro	12 no	yes	No	All	17				14 yes	no			0
Coastal San Pedro	12 no	yes	No	All	17) (18 no	yes			0
Harbor City	12 no	yes	No	All	13				16 по	yes		the state of the s	0
Harbor Gateway North	12 yes	по	Yes	All	17				18 yes	no			В
Harbor Gateway South	12 no	yes	No	All	15				16 no	yes			5
Northwest San Pedro	12 yes	no	No	Staggered	17				16 yes	ПО			4
Wilmington	12 yes	по	Yes	All	13	3))	16 no	yes			D
											22		

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ATTACHMENT E

Sylmar Neighborhood Council

Election Date: 04-02-16

Region 1

2014	2016	2014	2016	Votes	Vote %
Candidates	Candidates	Voters	Voters	(+/-)	Change
34	33	653	443	-210	-32%
Pop-Up	Early	Polling	Total	Paper	IVR
Votes	Online	Day	Digital	Ballots	
0	140	220	360	83	0
# Pop-Up	# Voter	# Voter	# Hours	# of Ballot	Voter
Polls	Registrations	Verifications	Polls Open	Types	Verification
Not Available	168	103	4	1	Self-Affirmation

Notes

- 1. First Neighborhood Council election that opened with online voting, which educated staff on at poll issues with online voting, e.g. long lines with not enough equipment, longer than expected registration times, longer than expected voting times, educating voters who did not know how to use tablets and communication delays between poll and support staff because of a downed cell station. Staff immediately implemented procedural changes for future elections to handle these issues, including having more staff and equipment mobile and preparing in voting booth directions on how to vote on the tablet.
- 2. Complaints that voters did not receive their usernames and passwords in a timely manner for online voting. The reason for this was a combination of unverified voters thinking they were verified and usernames and passwords going into spam folders.
- Complaints about scrolling online ballot, which was confusing to voters as to when the voting was completed and caused delays by starting over at the top if any changes were made to the selections.
- 4. Allegation that a stakeholder voted online and at the polls. No proof was provided when requested by staff, and upon review, no evidence to support the allegation.
- 5. Received compliments from Spanish speaking voters who were able to complete the online voting process entirely in language.
- 6. Community issue brought out more voters in 2014.

Panorama City Neighborhood Council

Election Date: 04-02-16

2014 Candidates	2016 Candidates	2014 Voters	2016 Voters	Votes (+/-)	Vote % Change
23	22	47	84	37	79%
Pop-Up Votes	Early Online	Polling Day	Total Digital	Paper Ballots	IVR
0	15	0	15	69	Not Offered
# Pop-Up Polls	# Voter Registrations	# Voter Verifications	# Hours Polls Open	# of Ballot Types	Voter Verification
Not Available	29	15	4	2	Documentatio

Notes

- 1. No reported issues.
- 2. EmpowerLA intentionally directed at poll locations to paper ballots with an option to vote online in order to review the contrast with Sylmar Neighborhood Council.

North Hills West Neighborhood Council

Region 2

Region 1

Election Date: 04-09-16

2014	2016	2014	2016	Votes	Vote %
Candidates	Candidates	Voters	Voters	(+/-)	Change
15	13	119	131	42	10%
Pop-Up	Early	Polling	Total	Paper	IVR
Votes	Online	Day	Digital	Ballots	
0	34	84	118	13	Not Offered
# Pop-Up	# Voter	# Voter	# Hours	# of Ballot	Voter
Polls	Registrations	Verifications	Polls Open	Types	Verification
Not Available	95	60	2	1	Self-Affirmation

Notes

- 1. No reported issues.
- 2. Election staffed adjusted to ensure one person was monitoring voting stations to assist voters, and team worked well together to keep the voter registration line moving.

Northridge East Neighborhood Council

Election Date: 04-09-16

Region 2

2014	2016	2014	2016	Votes	Vote %
Candidates	Candidates	Voters	Voters	(+/-)	Change
16	10	96	46	-50	-52%
Pop-Up	Early	Polling	Total	Paper	IVR
Votes	Online	Day	Digital	Ballots	
0	23	23	46	0	Not Offered
# Pop-Up	# Voter	# Voter	# Hours	# of Ballot	Voter
Polls	Registrations	Verifications	Polls Open	Types	Verification
Not Available	17	13	4	1	Documentation

Notes

1. No reported issues.

2. Voter decrease may be due to fewer candidates.

Northridge West Neighborhood Council

Election Date: 04-09-16

Region 2

2014	2016	2014	2016	Votes	Vote %
Candidates	Candidates	Voters	Voters	(+/-)	Change
10	7	86	40	-46	-53%
Pop-Up	Early	Polling	Total	Paper	IVR
Votes	Online	Day	Digital	Ballots	
0	26	14	40	0	Not Offered
# Pop-Up	# Voter	# Voter	# Hours	# of Ballot	Voter
Polls	Registrations	Verifications	Polls Open	Types	Verification
Not Available	23	19	4	1	Documentation

Notes

1. No reported issues.

2. Voter decrease may be due to fewer candidates.

Porter Ranch Neighborhood Council

Election Date: 06-11-16

2014	2016	2014	2016	Votes	Vote %
Candidates	Candidates	Voters	Voters	(+/-)	Change
23	16	730	455	-275	-38%
Pop-Up	Early	Polling	Total	Paper	IVR
Votes	Online	Day	Digital	Ballots	
60	183	212	455	0	Not Offered
# Pop-Up	# Voter	# Voter	# Hours	# of Ballot	Voter
Polls	Registrations	Verifications	Polls Open	Types	Verification
3	350	252	4	1	Documentation

Notes

- 1. LAUSD polling location was a cellular dead zone so had to rely on the school's wifi, which was not an ideal situation because the LAUSD representative was not there for the entire election when issues with credential authentication came up later.
- 2. Stakeholder and candidate complaints over who requested Pop-Up Polls for locations that were alleged to favor one candidate over another.

Lake Balboa Neighborhood Council

Election Date: 04-17-16

Region 3

Region 2

2014	2016	2014	2016	Votes	Vote %
Candidates	Candidates	Voters	Voters	(+/-)	Change
25	19	191	444	-253	-57%
Pop-Up	Early	Polling	Total	Paper	IVR
Votes	Online	Day	Digital	Ballots	
0	60	127	187	4	Not Offered
# Pop-Up	# Voter	# Voter	# Hours	# of Ballot	Voter
Polls	Registrations	Verifications	Polls Open	Types	Verification
Not Available	87	53	4	2	Self-Affirmation

Notes

1. No issues reported.

Lake Balboa Neighborhood Council Notes Continued:

2. Voter decrease may be due to fewer candidates and a youth candidate in 2014 who had over 200 students vote for her when she was running uncontested.

Reseda Neighborhood Council

Region 3

Election Date: 04-17-16

2014	2016	2014	2016	Votes	Vote %
Candidates	Candidates	Voters	Voters	(+/-)	Change
24	12	187	288	-101	-35%
Pop-Up	Early	Polling	Total	Paper	IVR
Votes	Online	Day	Digital	Ballots	
0	51	134	185	2	0
# Pop-Up	# Voter	# Voter	# Hours	# of Ballot	Voter
Polls	Registrations	Verifications	Polls Open	Types	Verification
Not Available	33	20	6	1	Self-Affirmation

Notes

- 1. No reported issues.
- 2. Voter decrease may be due to fewer candidates.

Canoga Park Neighborhood Council

Region 3

Election Date: 04-17-16

2014	2016	2014	2016	Votes	Vote %
Candidates	Candidates	Voters	Voters	(+/-)	Change
11	20	283	234	-48	-17%
Pop-Up	Early	Polling	Total	Paper	IVR
Votes	Online	Day	Digital	Ballots	
0	75	147	222	13	Not Offered
# Pop-Up	# Voter	# Voter	# Hours	# of Ballot	Voter
Polls	Registrations	Verifications	Polls Open	Types	Verification
Not Available	177	135	4	2	Documentation

Canoga Park Neighborhood Council Notes

- 1. Online voting setup with a long row of stations and helped desk kept the line moving smoothly.
- 2. There was a ballot mistake where Community Interest Stakeholders could only vote for Community Interest seats instead of for everyone.

Encino Neighborhood Council

Region 3

Election Date: 04-17-16

2014 Candidates	2016 Candidates	2014 Voters	2016 Voters	Votes (+/-)	Vote % Change
19	19	180	171	-9	-5%
Pop-Up Votes	Early Online	Polling Day	Total Digital	Paper Ballots	IVR
0	28	102	130	41	Not Offered
# Pop-Up Polls	# Voter Registrations	# Voter Verifications	# Hours Polls Open	# of Ballot Types	Voter Verification
Not Available	75	46	4	8	Documentation

Notes

1. No reported issues.

West Hills Neighborhood Council

Region 3

Election Date: 04-17-16

2014	2016	2014	2016	Votes	Vote %
Candidates	Candidates	Voters	Voters	(+/-)	Change
17	20	388	238	-150	-39%
Pop-Up	Early	Polling	Total	Paper	IVR
Votes	Online	Day	Digital	Ballots	
0	80	155	235	3	Not Offered
# Pop-Up	# Voter	# Voter	# Hours	# of Ballot	Voter
Polls	Registrations	Verifications	Polls Open	Types	Verification
Not Available	127	73	6	1	Documentation

West Hills Neighborhood Council Notes

1. No reported issues.

Greater Valley Glen Neighborhood Council

Election Date: Board Affirmation

Region 4

2014	2016	2014	2016	Votes	Vote %
Candidates	Candidates	Voters	Voters	(+/-)	Change
21	N/A	93	N/A	N/A	N/A
Pop-Up	Early	Polling	Total	Paper	IVR
Votes	Online	Day	Digital	Ballots	
N/A	N/A	N/A	N/A	N/A	N/A
# Pop-Up	# Voter	# Voter	# Hours	# of Ballot	Voter
Polls	Registrations	Verifications	Polls Open	Types	Verification
N/A	N/A	N/A	N/A	9	Self-Affirmation

Notes

1. Not enough candidates for a contested election so went to board affirmation.

North Hollywood Northeast Neighborhood Council

Region 4

Election Date: 04-07-16

2014	2016	2014	2016	Votes	Vote %
Candidates	Candidates	Voters	Voters	(+/-)	Change
8	4	18	12	-6	-33%
Pop-Up	Early	Polling	Total	Paper	IVR
Votes	Online	Day	Digital	Ballots	
0	4	8	12	0	Not Offered
# Pop-Up	# Voter	# Voter	# Hours	# of Ballot	Voter
Polls	Registrations	Verifications	Polls Open	Types	Verification
Not Available	12	7	4	2	Self-Affirmation

Notes

- 1. No reported issues.
- 2. Neighborhood Council has struggled with election outreach for several election cycles.

Election Date: 04-07-16

2014	2016	2014	2016	Votes	Vote %
Candidates	Candidates	Voters	Voters	(+/-)	Change
25	27	367	390	23	6%
Pop-Up	Early	Polling	Total	Paper	IVR
Votes	Online	Day	Digital	Ballots	
0	68	45	114	276	1
# Pop-Up	# Voter	# Voter	# Hours	# of Ballot	Voter
Polls	Registrations	Verifications	Polls Open	Types	Verification
Not Available	236	135	4	7	Documentation

Notes

- Election staff released voter registration information with supporting documents to the Neighborhood Council and the candidates after complaints from candidates that the Neighborhood Council was doing no election outreach so candidates wanted to do outreach. This breach of security included the data of more than 100 voters. EmpowerLA responded quickly and enrolled all voters who opted for protection with an Identity Theft Protection Plan.
- 2. Allegations from candidate that she was able to vote twice because she was given two voting credentials. Upon review, candidate was given a second voting credential because she registered to vote in the wrong category so that she would not be able to vote for herself. The initial voting credentials given to her were then cancelled.
- 3. Allegations from voters who stated that they did not receive their voting credentials or that they received them the day before the elections. Staff investigation found that those who did not receive voting credentials were missing documents still and told to go to the polling location to vote instead. Staff confirmed that voting credentials for verified voters did go out right before the elections due to late processing. Staff then worked on shortening the voting verifications turnaround to Everyone Counts to 5 calendar days.
- 4. Polling day location was divided into two rooms, online and paper ballots, because of the anticipated high turnout. Only those who had started voter registration online were allowed to vote in the online room.
- 5. There was a mix up with two voters who had the same name, but not the same birthday. Everyone Counts staff were onsite to observe and was able to correct the error and have the one who voted with the wrong birthday come back to vote again. Staff were instructed to double check all of the fields to ensure that those with the same name had the same birthday as their identification.
- 6. This was a very contentious election with multiple challenges filed.

Election Date: 05-01-16

2014	2016	2014	2016	Votes	Vote %
Candidates	Candidates	Voters	Voters	(+/-)	Change
48	51	217	328	111	51%
Pop-Up	Early	Polling	Total	Paper	IVR
Votes	Online	Day	Digital	Ballots	
3	178	137	319	9	1
# Pop-Up	# Voter	# Voter	# Hours	# of Ballot	Voter
Polls	Registrations	Verifications	Polls Open	Types	Verification
2	337	276	4	7	Self-Affirmation

Notes

1. There was a reboot of the online voting election because the ballot provided to Everyone Counts was incorrect. Online voting was reset and the voters were issued new voting credentials.

Olympic Park Neighborhood Council

Region 6

Election Date: 05-05-16

2014	2016	2014	2016	Votes	Vote %
Candidates	Candidates	Voters	Voters	(+/-)	Change
4	18	62	102	40	65%
Pop-Up	Early	Polling	Total	Paper	IVR
Votes	Online	Day	Digital	Ballots	
0	38	60	98	4	0
# Pop-Up	# Voter	# Voter	# Hours	# of Ballot	Voter
Polls	Registrations	Verifications	Polls Open	Types	Verification
1	182	99	4	1	Self-Affirmation

Notes

1. No reported issues.

Downtown Los Angeles Neighborhood Council

Election Date: 05-05-16

Reg	io	n	6
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2014	2016	2014	2016	Votes	Vote %
Candidates	Candidates	Voters	Voters	(+/-)	Change
42	45	679	847	168	25%
Pop-Up	Early	Polling	Total	Paper	IVR
Votes	Online	Day	Digital	Ballots	
280	366	192	838	9	Not Offered
# Pop-Up	# Voter	# Voter	# Hours	# of Ballot	Voter
Polls	Registrations	Verifications	Polls Open	Types	Verification
13	649	496	8	7	Documentation

Notes

1. Complaints of Pop-Up Poll locations favoring a candidate over another, but all candidates were offered the opportunity to provide a location. One Pop-Up Poll had 115 people register and vote in a few hours.

Historic Cultural Neighborhood Council

Election Date: 05-05-16

Region 6

2014 Candidates	2016 Candidates	2014 Voters	2016 Voters	Votes (+/-)	Vote % Change
27	18	850	194	-656	-77%
Pop-Up Votes	Early Online	Polling Day	Total Digital	Paper Ballots	IVR
44	122	14	180	14	Not Offered
# Pop-Up Polls	# Voter Registrations	# Voter Verifications	# Hours Polls Open	# of Ballot Types	Voter Verification
5	594	574	4	7	Documentation

Notes

1. There was a voter registration issue where 449 voters were registered under one email. When staff called to verify, they were told that these were seniors at a center who do not have their own email addresses. When staff started calling the mostly monolingual voters,

Historic Cultural Neighborhood Council Notes Continued

some did not recall registering to vote. Staff did not provide voter credentials via email and sent a Pop-Up Poll to the senior center whereupon staff were asked to leave by the management. Because many of these voters did not receive their voting credentials, this likely affected the final voting numbers.

2. One reason the voter numbers decreased is due to a new location that was difficult to find with insufficient parking that was far from populated areas.

Echo Park Neighborhood Council

Election Date: 05-14-16

Region 7

2014	2016	2014	2016	Votes	Vote %
Candidates	Candidates	Voters	Voters	(+/-)	Change
42	37	576	222	-354	-61%
Pop-Up	Early	Polling	Total	Paper	IVR
Votes	Online	Day	Digital	Ballots	
20	57	145	222	0	Not Offered
# Pop-Up	# Voter	# Voter	# Hours	# of Ballot	Voter
Polls	Registrations	Verifications	Polls Open	Types	Verification
2	94	76	6	6	Documentation

Notes

 Online voting was added due to stakeholder concerns of voter intimidation at the polls because of a candidate, who decided not to run. The decrease in voters is likely due to this change.

Region 8

Silver Lake Neighborhood Council

Election Date: 05-14-16

2014	2016	2014	2016	Votes	Vote %
Candidates	Candidates	Voters	Voters	(+/-)	Change
58	47	1398	983	-415	-30%
Pop-Up	Early	Polling	Total	Paper	IVR
Votes	Online	Day	Digital	Ballots	
63	303	279	645	338	Not Offered
# Pop-Up	# Voter	# Voter	# Hours	# of Ballot	Voter
Polls	Registrations	Verifications	Polls Open	Types	Verification
4	689	514	4	7	Documentation

Notes

- Election staff set up 12 online voting stations in anticipation of the turnout, which still was not enough. The pressure to move the line caused many voter credential mistakes, which caused delays. The call was made to switch to paper ballots to move the lines quicker at that point.
- 2. Voter decrease is likely due to fewer candidates and contested community issues from 2014.

LA 32 Neighborhood Council

Election Date: 05-21-16

2014 Candidates	2016 Candidates	2014 Voters	2016 Voters	Votes (+/-)	Vote % Change
27	22	305	197	-108	-35%
Pop-Up Votes	Early Online	Polling Day	Total Digital	Paper Ballots	IVR
56	2	135	196	4	0
# Pop-Up Polls	# Voter Registrations	# Voter Verifications	# Hours Polls Open	# of Ballot Types	Voter Verification
2	20	12	6	5	Self-Affirmation

LA 32 Neighborhood Council Notes

- 1. No reported issues.
- 2. Voter decrease is likely due to fewer candidates and contested community issues from 2014.

Glassell Park Neighborhood Council

Region 8

Election Date: 05-21-16

2014	2016	2014	2016	Votes	Vote %
Candidates	Candidates	Voters	Voters	(+/-)	Change
20	28	392	270	-122	-31%
Pop-Up	Early	Polling	Total	Paper	IVR
Votes	Online	Day	Digital	Ballots	
60	55	81	196	74	Not Offered
# Pop-Up	# Voter	# Voter	# Hours	# of Ballot	Voter
Polls	Registrations	Verifications	Polls Open	Types	Verification
3	87	70	6	1	Documentation

Notes

- 1. Polling location did not have wifi connection and spotty cell reception, which made verifying voters online difficult.
- 2. Voter decrease likely fewer due to certain candidates not running again and contested community issues from 2014.

Historic Highland Park Neighborhood Council

Election Date: 05-21-16

2014	2016	2014	2016	Votes	Vote %
Candidates	Candidates	Voters	Voters	(+/-)	Change
33	27	360	286	-74	-21%
Pop-Up	Early	Polling	Total	Paper	IVR
Votes	Online	Day	Digital	Ballots	
51	128	88	267	19	Not Offered
# Pop-Up	# Voter	# Voter	# Hours	# of Ballot	Voter
Polls	Registrations	Verifications	Polls Open	Types	Verification
2	154	102	6	1	Documentation

Notes

- 1. Two voters with the same name who voted turned out to be a father and son with the same name.
- 2. Voter decrease may be due to fewer candidates.

Lincoln Heights Neighborhood Council

Election Date: 05-21-16

Region 8

2014	2016	2014	2016	Votes	Vote %
Candidates	Candidates	Voters	Voters	(+/-)	Change
12	15	105	375	270	264%
Pop-Up	Early	Polling	Total	Paper	IVR
Votes	Online	Day	Digital	Ballots	
222	61	89	372	3	0
# Pop-Up	# Voter	# Voter	# Hours	# of Ballot	Voter
Polls	Registrations	Verifications	Polls Open	Types	Verification
6	92	48	6	1	Documentation

Notes

- 1. No issues reported.
- 2. One Pop-Up Poll was conducted at a local school so they could learn about and participate in the Neighborhood Council system.

Central Alameda Neighborhood Council

Election Date: Board Affirmation

Region 9

2014	2016	2014	2016	Votes	Vote %
Candidates	Candidates	Voters	Voters	(+/-)	Change
11	N/A	140	N/A	N/A	N/A
Pop-Up	Early	Polling	Total	Paper	IVR
Votes	Online	Day	Digital	Ballots	
N/A	N/A	N/A	N/A	N/A	N/A
# Pop-Up	# Voter	# Voter	# Hours	# of Ballot	Voter
Polls	Registrations	Verifications	Polls Open	Types	Verification
N/A	N/A	N/A	N/A	1	Self-Affirmation

Notes

1. Not enough candidates for a contested election so went to board affirmation.

Empowerment Congress Southeast Neighborhood Council

Election Date: 06-11-16

Region 9

2014 Candidates	2016 Candidates	2014 Voters	2016 Voters	Votes (+/-)	Vote % Change
7	6	71	108	37	52%
Pop-Up Votes	Early Online	Polling Day	Total Digital	Paper Ballots	IVR
51	44	12	107	1	0
# Pop-Up Polls	# Voter Registrations	# Voter Verifications	# Hours Polls Open	# of Ballot Types	Voter Verification
2	20	13	4	1	Self-Affirmation

Notes

1. No issues reported.

Empowerment Congress Southwest Neighborhood Council

Region 9

Election Date: 06-11-16

2014	2016	2014	2016	Votes	Vote %
Candidates	Candidates	Voters	Voters	(+/-)	Change
9	21	0	135	135	N/A
Pop-Up	Early	Polling	Total	Paper	IVR
Votes	Online	Day	Digital	Ballots	
23	32	80	135	0	Not Offered
# Pop-Up	# Voter	# Voter	# Hours	# of Ballot	Voter
Polis	Registrations	Verifications	Polls Open	Types	Verification
3	69	47	4	1	Self-Affirmation

Notes

- 1. EC Southwest had a board affirmation with no election in 2014 because they did not have contested seats.
- 2. No issues reported.

Zapata-King Neighborhood Council

Region 9

Election Date: 06-11-16

2014	2016	2014	2016	Votes	Vote %
Candidates	Candidates	Voters	Voters	(+/-)	Change
Forming	20	Forming	459	1	<1%
Pop-Up	Early	Polling	Total	Paper	IVR
Votes	Online	Day	Digital	Ballots	
29	335	80	444	15	0
# Pop-Up	# Voter	# Voter	# Hours	# of Ballot	Voter
Polls	Registrations	Verifications	Polls Open	Types	Verification
3	252	166	6	2	Self-Affirmation

Notes

- 1. ZKNC held a selection in 2015 where 458 people voted.
- 2. Big turnout that reached capacity and had to redirect election staff to assist.

Empowerment Congress North Neighborhood Council

Region 10

Election Date: 06-18-16

2014	2016	2014	2016	Votes	Vote %
Candidates	Candidates	Voters	Voters	(+/-)	Change
13	10	72	75	3	4%
Pop-Up	Early	Polling	Total	Paper	IVR
Votes	Online	Day	Digital	Ballots	
0	16	58	75	0	0
# Pop-Up	# Voter	# Voter	# Hours	# of Ballot	Voter
Polls	Registrations	Verifications	Polls Open	Types	Verification
1	46	29	4	4	Self-Affirmation

Notes:

1. No issues reported.

Mid City Neighborhood Council

Election Date: 06-18-16

Region 10

2014	2016	2014	2016	Votes	Vote %
Candidates	Candidates	Voters	Voters	(+/-)	Change
22	15	82	89	7	9%
Pop-Up	Early	Polling	Total	Paper	IVR
Votes	Online	Day	Digital	Ballots	
5	29	55	89	0	0
# Pop-Up	# Voter	# Voter	# Hours	# of Ballot	Voter
Polls	Registrations	Verifications	Polls Open	Types	Verification
1	24	20	4	1	Self-Affirmation

Notes

1. No issues reported.

Empowerment Congress West Neighborhood Council

Election Date: 06-18-16

2014	2016	2014	2016	Votes	Vote %
Candidates	Candidates	Voters	Voters	(+/-)	Change
10	12	160	182	22	14%
Pop-Up	Early	Polling	Total	Paper	IVR
Votes	Online	Day	Digital	Ballots	
7	65	83	182	0	Not Offered
# Pop-Up	# Voter	# Voter	# Hours	# of Ballot	Voter
Polls	Registrations	Verifications	Polls Open	Types	Verification
34	46	29	4	3	Self-Affirmation

Notes

1. No issues reported.

Palms Neighborhood Council

Election Date: 06-05-16

Region 11

2014	2016	2014	2016	Votes	Vote %
Candidates	Candidates	Voters	Voters	(+/-)	Change
19	38	211	473	262	124%
Pop-Up	Early	Polling	Total	Paper	IVR
Votes	Online	Day	Digital	Ballots	
131	55	287	473	0	Not Offered
# Pop-Up	# Voter	# Voter	# Hours	# of Ballot	Voter
Polls	Registrations	Verifications	Polls Open	Types	Verification
3	238	179	9	9	Self-Affirmation

Notes

- 1. The Palms Neighborhood Council has an Instant Runoff Voting Ballot and at the first Pop-Up Poll, a hardware limitation was discovered, the online ballot online worked with a mouse. The issue was addressed immediately.
- 2. The Instant Runoff Voting Ballot was still confusing to voters, and the process was not intuitive, requiring poll worker assistance in order to rank their candidates.

Palms Neighborhood Council Notes Continued

3. The Palms Neighborhood Council recently voted to initiate a bylaw amendment request, removing the Instant Runoff Voting Ballot from their election procedures.

South Robertson Neighborhood Council

Region 11

Election Date: 06-05-16

2014	2016	2014	2016	Votes	Vote %
Candidates	Candidates	Voters	Voters	(+/-)	Change
29	29	520	517	-3	-1%
Pop-Up	Early	Polling	Total	Paper	IVR
Votes	Online	Day	Digital	Ballots	
62	200	254	516	1	Not Offered
# Pop-Up	# Voter	# Voter	# Hours	# of Ballot	Voter
Polls	Registrations	Verifications	Polls Open	Types	Verification
3	349	276	4	1	Self-Affirmation

Notes

- 1. No issues reported.
- 2. Voters and candidates expressed appreciated the flexibility of the Pop-Up Polls voting.

Del Rey Neighborhood Council

Region 11

Election Date: 06-05-16

2014	2016	2014	2016	Votes	Vote %
Candidates	Candidates	Voters	Voters	(+/-)	Change
16	16	141	65	-76	-54%
Pop-Up	Early	Polling	Total	Paper	IVR
Votes	Online	Day	Digital	Ballots	
12	13	39	64	1	Not Offered
# Pop-Up	# Voter	# Voter	# Hours	# of Ballot	Voter
Polls	Registrations	Verifications	Polls Open	Types	Verification
1	55	22	4	9	Documentation

Notes

1. No reported issues.

2. Voter decrease may be due to lack of community issues driving voters.

Harbor Gateway North Neighborhood Council

Region 12

Election Date: 06-11-16

2014	2016	2014	2016	Votes	Vote %
Candidates	Candidates	Voters	Voters	(+/-)	Change
20	20	144	178	34	24%
Pop-Up	Early	Polling	Total	Paper	IVR
Votes	Online	Day	Digital	Ballots	
85	85	0	170	8	Not Offered
# Pop-Up	# Voter	# Voter	# Hours	# of Ballot	Voter
Polls	Registrations	Verifications	Polls Open	Types	Verification
4	198	172	6	9	Self-Affirmation

Notes

- The unofficial canvass of votes provided by the vendor had typos that resulted in one candidate being named twice, one candidate being left off, and the results being switched for one seat.
- 2. The official canvass of votes released by the elections team did not correct these errors, and the Neighborhood Council requested a full audit.
- 3. The audit determined that the wrong candidate had been seated because the number of votes from the off polling site database and the polling location database had not been reconciled, and the elections team presented the results of the audit to the council and seated the correct candidate.
- 4. Complaints by candidates that voters they said were registered should have voted. Election staff clarified that not all registered voters vote.
- 5. Three people were able to vote twice at the Pop-Up Poll and the polling location because election staff did not check other verifying information fields likely due to staff fatigue. These ballots were removed during the audit.

Wilmington Neighborhood Council

Election Date: 06-11-16

Reg	ion	12
-----	-----	----

2014	2016	2014	2016	Votes	Vote %
Candidates	Candidates	Voters	Voters	(+/-)	Change
5	5	65	73	8	12%
Pop-Up	Early	Polling	Total	Paper	IVR
Votes	Online	Day	Digital	Ballots	
47	10	0	57	16	Not Offered
# Pop-Up	# Voter	# Voter	# Hours	# of Ballot	Voter
Polls	Registrations	Verifications	Polls Open	Types	Verification
2	64	33	4	1	Documentation

Notes

1. The usernames and passwords did not work at the polls on election day so election staff gave the voters the back-up paper ballots.

Neighborhood Council	Region	2014 Voters	2016 Voters	(+/-)	Voter Verification	Pop-Up Polls	Pop-Up Voters	early online	polling day	total digital	paper	IVR
Sylmar	1	653	443	-210	SA	-	0	140	220	360	83	0
Panorama City	1	47	84	37	DOC	-	0	15	0	15	69	0
Porter Ranch	2	730	455	-275	DOC	3	60	183	212	455	0	0
Northridge East	2	96	46	-50	DOC	-	0	23	23	46	0	0
Northridge West	2	86	40	-46	DOC	-	0	26	14	40	0	0
North Hills West	2	119	131	12	SA	-	0	34	84	118	13	0
_ake Balboa	3	444	191	-253	SA	-	0	60	127	187	4	0
West Hills	3	388	238	-150	DOC	-	0	80	155	235	3	0
Reseda	3	288	187	-101	SA	-	0	51	134	185	2	0
Canoga Park	3	283	235	-48	DOC	-	0	75	147	222	13	0
Encino	3	180	171	-9	DOC	-	0	28	102	130	41	0
Greater Valley Glen	4	93	0	N/A	SA	-	0	0	0	0	0	0
North Hollywood Northeast	4	18	12	-6	SA	-	0	4	8	12	0	0
Studio City	4	367	390	23	DOC	-	0	68	45	114	276	1
Mid-City West	5	217	328	111	SA	2	3	178	137	319	9	1
Historic Cultural	6	850	194	-656	DOC	5	44	122	14	180	14	0
Olympic Park	6	62	102	40	SA	1	0	38	60	98	4	0
Downtown Los Angeles	6	679	847	168	DOC	13	280	366	192	838	9	0
Silver Lake	7	1398	983	-415	DOC	4	63	303	279	645	338	0
Echo Park	7	576	222	-354	DOC	2	20	57	145	222	0	0
Glassell Park	8	392	270	-122	DOC	3	60	55	81	196	74	0
LA-32	8	305	197	-108	SA	2	56	2	135	193	4	0
Historic Highland Park	8	360	286	-74	DOC	2	51	128	88	267	19	0
Lincoln Heights	8	105	375	270	DOC	6	222	61	89	372	3	0
Empowerment Congress Southwest	9	0	135	135	SA	3	23	32	80	135	0	0
Central Alameda	9	140	0	N/A	SA	-	0	0	0	0	0	0
Zapata-King	9	458	459	1	SA	3	29	335	80	444	15	0
Empowerment Congress Southeast	9	71	108	37	SA	2	51	44	12	107	1	0
Empowerment Congress North	10	72	75	3	SA	0	1	16	58	75	0	0
Mid City	10	82	89	7	SA	1	5	29	55	89	0	0
Empowerment Congress West	10	160	182	22	DOC	7	34	65	83	182	0	0
Del Rey	11	141	65	-76	DOC	1	12	13	39	64	1	0
South Robertson	11	520	517	-3	SA	3	62	200	254	516	1	0
Palms	11	211	473	262	SA	3	131	55	287	473	0	0
Wilmington	12	65	73	8	DOC	2	47	10	0	57	16	0
Harbor Gateway North	12	143	178	35	SA	4	85	85	0	170	8	0
Totals		10799	8781	-1785	SA 18	72	1339	2981	3439	7761	1020	2
Voter Decrease - 7 SA, 12 DOC					DOC 18							
Voter Increase - 12 SA, 4 DOC												

2 Board Affirmations

ATTACHMENT F



2018 & 2020 NEIGHBORHOOD COUNCIL ELECTIONS 96 NEIGHBORHOOD COUNCIL ELECTIONS

Everyone Counts is committed to providing our best-in-class online voting solution to the City of Los Angele's EmpowerLA team. Our solution includes our eLect software as a service solution along with the necessary Election Administration Services to ensure secure elections for all of Los Angele's Neighborhood Councils.

We have simplified our pricing model for EmpowerLA, and have included provisions for the build-out of the additional 46 Neighborhoods, hosting in our secure cloud environment and personnel who deliver the necessary services to set up, test and enact the elections from start to final tabulation. Prior to the actual election periods, much work will be done in advance. We will bring forward lessons learned from the 2016 elections as well as our considerable expertise and best practices from other elections we have conducted throughout the US, for public and private sector clients.

PRICING

2018 Election Cycle

50 NC Elections - continuation of current build

EMPOWERLA - 50 NC

Elections

	Totals	Monthly Fees (18 Months)	in Full Fees	Monthly With in full fees Roiled in.
License	\$297,500.00	\$16,527.78		
Election Services	included			
Notify	Included			
Helpdesk	\$58,590.00		\$58,590.00	\$19,782,78

96 NC Elections - expand to current full NC count

EMPOWERLA - 96 NC

Elections

	Totals	Monthly Fees (18 Months)	In Full Fees	Monthly With In full Rolled in.
License	\$377,240.00	\$20,957.78		
Election Services	Included			
Notify	Included			
Helpdesk	\$58,590.00		\$58,590.00	\$24,212.78

2020 Election Cycle

The 2020 Election Cycle provides new options, given that we will have had two full election cycles completed through the system. The EmpowerLA/City Clerk team will have experience and knowledge of the workings of the eLect system and all build outs will have been completed by this time. As such, Election Administration Services move to the "optional" column, with the caveat that the EmpowerLA/City Clerk team is certified on using our election platform and can take full ownership of delivering the elections. Certification is achieved through training and knowledge confirmation by conducting a full mock-election under the supervision of the Everyone Counts Election Administrator. Everyone Counts offers the Election Administration Services as an option, and you may still contract for them going forward.

2020 Election Cycle

96 NC Elections

EMPOWERLA - 96 NC Elections			
	Totals	Monthly Fees*	In Full Fees
License	\$275,000.00	\$22,916.67	
Notify	Included		
Training (3 days)			\$12,000.00
Optional:			
Election Services	\$102,240.00	\$8,520.00	
Helpdesk			\$58,590.00

^{*}based on 12 months

Statement of Work and Terms & Conditions will be finalized in a contract Amendment.

On April 7, 2016, the Department of Neighborhood Empowerment (DONE) convened the elections for the Studio City Neighborhood Council. This was the first election cycle for neighborhood councils that included an online voting option and Studio City was among the first participants in the new online voting system.

In theory, online voting may have the potential to draw greater participation in neighborhood council elections. However, in the aftermath of the Studio City experience, it is clear that more work needs to be done to shore up the security of voters' data, better train staff to handle the demands of candidates and voters to access said data. The nature of pilot programs, such as online voting, is to revisit the experience of the pilot and decide whether to move forward with more widespread implementation, and if so, what improvements can be made based on that initial experience.

I THEREFORE MOVE that the Council INSTRUCT the Department of Neighborhood Empowerment to cease the implementation of the online voting system for future elections until (1) DONE completes a report with information about the experience of online voting for candidates, voters, staff and other stakeholders, and on the actions that DONE intends to take to improve the implementation process, outreach, training, data security, and other processes; and (2) the Council takes further action approving online voting under the conditions to be determined by the City Council.

Presented by:

PAUL KREKORIAN

Councilmember, 2nd District

Seconded by

JUN 2 9 2016

MOTION

Item 5 (Council File 15-1022-S2) on today's agenda is relative to suspending implementation of the online voting system for future Neighborhood Council elections. I request this motion be AMENDED to read:

I THEREFORE MOVE that the Council INSTRUCT the Department of Neighborhood Empowerment to suspend the implementation of the online voting system until (1) DONE completes a report within 30 days, or in sufficient time for the Council to take any necessary action prior to any future neighborhood council election, with information about the experience of online voting for candidates, voters, staff and other stakeholders, and on the actions that DONE intends to take to improve the implementation process, outreach, training, data security, and other processes; and (2) the Council takes further action approving online voting under the conditions to be determined by the City Council, after consideration of DONE's report.

Presented by: _

PAUL KREKORIAN

Councilmember, 2nd District

Seconded by: / ase' # a

DEC 0 2 2016

Neighborhood Council: Bel Air-Beverly Crest Neighborhood Council

Name: Robin Greenberg

Phone Number: (310) 968-0605 Email: rgreenberg@babcnc.org

The Board approved this CIS by a vote of: Yea(22) Nay(0) Abstain(0) Ineligible(0) Recusal(0)

Date of NC Board Action: 01/25/2017

Type of NC Board Action: For

Impact Information Date: 02/15/2017

Update to a Previous Input: No

Directed To: City Council and Committees

Council File Number: 15-1022-S2

Agenda Date: 01/25/2017

Item Number: 7.g.

Summary: The BABCNC agrees with the original motion in this council file that the Council INSTRUCT the Department of Neighborhood Empowerment to cease the implementation of the online voting system for future elections until (1) DONE completes a report with information about the experience of online voting for candidates, voters, staff and other stakeholders, and on the actions that DONE intends to take to improve the implementation process, outreach, training, data security, and other processes; and (2) the Council takes further action approving online voting under the conditions to be determined by the City Council, as moved by Paul Krekorian. Please find enclosed the positions taken by the BABCNC.



Bel Air / Beverly Crest Neighborhood Council PO Box 252007 Los Angeles, CA 90025 Office: 310-479-6247 www.babcnc.org

January 25, 2017

Community Impact Statement RE: Report Back on Council File# 15-1022-S2 Online Voting Pilot for Neighborhood Council Elections

We, Robin Greenberg and Nickie Miner, declare that we are the President and Vice President respectively of the Bel Air Beverly Crest Neighborhood Council (BABCNC), and on January 25, 2017, a Brown-Act noticed public meeting was held by the BABCNC. The BABCNC considered the report back on CF #15-1022-S2, and, in response to DONE's General Manager, Grayce Liu's, request for input from neighborhood councils, with a quorum of 22 board members present, by a vote of 22/0/0, the BABCNC agreed to the following:

- I. Online Voting. General consensus was to not rule out online voting as a voting alternative, but to also provide for mail-in-ballot voting in addition to holding in-person voting on Election Day.
- II. <u>Self-affirmation Based Upon Picture ID Only.</u> BABCNC rejects and opposes recommendation. BABCNC overwhelmingly, if not unanimously, expressed preference for verification of Stakeholder status by documentation. Unless a Community Interest Stakeholder, verification of Stakeholder status requires documentation evidencing voter residency, ownership or employment within territorial boundaries of BABCNC. This requires documentation evidencing a street address. A street address is not always present on a picture ID such as a driver's license. Moreover, a driver's license or other picture ID (i.e. corporate employment ID), does not evidence property ownership, which documentation is required of a non-resident owner claiming BABCNC Stakeholder status.
- III. <u>Voter Age Lowered to 16 Years of Age</u>. BABCNC supports recommendation. BABCNC encourages young Stakeholders to participate in the civic process. Lowering minimum voting age from current 18 years of age to 16 will afford a greater number of high schools students the opportunity to participate in the public election of certain BABCNC representative. Moreover, the BABCNC intends, in the next revision of the bylaws, to create a seat specifically designated to be filled by someone currently in high school.

OFFICERS
President
Robin Greenberg
Vice President
Nickie Miner
Treasurer
Lonnie Mayfield
Secretary
Robert Ringler

COMMITTEES
Executive
Bylaws, Rules and Elections
Planning and Land Use
Outreach and Education
Public Safety/Disaster Preparedness

Traffic Committee

Bel Air Hills Association
Bel Air Ridge Association
Benedict Canyon Association
Casiano Estates Association
Laurel Canyon Association
Holmby Hills Homeowners Association
Residents of Beverly Glen
RESIDENTIAL DISTRICTS
Bel Air District

STAKEHOLDER GROUPS

Bel-Air Crest Master Association

Bel Air Glen District
Beverly Park Estates District
Franklin-Coldwater District
North of Sunset District
OTHER
At-Large Members
Commercial or Office Enterprise Districts
Custodians of Open Space
Faith-Based Institutions
Public & Private Schools

IV. Maximum Number of Three Ballot Types. BABCNC rejects limitation to three (3) ballot types. Impossible for BABCNC to comply with such restriction given composition of publicly elected seats on Board. BABCNC holds public election for five (5) residential districts; one (1) public schools representative; one (1) commercial/enterprise representative; and two (2) at-large representatives. Ballot within each residential district will be unique given Stakeholders within each residential district may only vote for candidates running for that residential seat. Ballot within each residential district will include names of candidates running for three (3) other positions: (i) public schools; (ii) commercial/enterprise and (iii) at-large. In addition to a unique ballot for each five (5) residential districts, governmental structure of BABCNC requires a sixth (6th) unique ballot to be used by all other voters not living within a residential district. Such ballot will only include the three (3) non-residential seats: public schools; commercial/enterprise and at-large.

Robin Greenberg, rgreenberg@babcnc.org

President, Bel Air Beverly Crest Neighborhood Council

Nickie Miner, nminer@babcnc.org

Vice President, Bel Air Beverly Crest Neighborhood Council



Bel Air / Beverly Crest Neighborhood Council PO Box 252007 Los Angeles, CA 90025 Office: 310-479-6247 www.babcnc.org

January 25, 2017

Community Impact Statement RE: Report Back on Council File# 15-1022-S2 Online Voting Pilot for Neighborhood Council Elections

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RESIDENTIAL DISTRICTS
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Franklin-Coldwater District
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Robin Greenberg, rgreenberg@babcnc.org

President, Bel Air Beverly Crest Neighborhood Council

Nickie Miner, nminer@babenc.org

Vice President, Bel Air Beverly Crest Neighborhood Council

Neighborhood Council: Harbor Gateway North Neighborhood Council

Name: Rosalie Preston

Phone Number: <u>310-538-2485</u> Email: <u>rosalieannp@hotmail.com</u>

The Board approved this CIS by a vote of: Yea(15) Nay(0) Abstain(0) Ineligible(0) Recusal(0)

Date of NC Board Action: 01/10/2017

Type of NC Board Action: For

Impact Information Date: 01/25/2017

Update to a Previous Input: No

Directed To: City Council and Committees

Council File Number: 15-1022-S2

Agenda Date: Item Number:

Summary: We support suspending further implementation of the online voting system for future elections until the Dept. of Neighborhood Empowerment completes a report on the 2016 online voting experience. We also strongly support, that if online voting is used in the 2018 Board elections that Neighborhood Councils be given the option of voting either online or with paper ballots due to the experiences we had with online voting problems in our 2016 Board election.

Pamela Thornton - Chairperson
Tim Richardson - Vice Chairperson
Rosalie Preston - Recording Secretary
Hannah Woods - Corres. Secretary
Joan Jacobs - Treasurer
Mark Lupfer - District 1 Rep.
Clyde Noguchi - District 2 Rep.
Reynaldo Paduani - District 3 Rep.
Betty Hawkins - District 4 Representative



Harbor Gateway North
Neighborhood Council
P.O. Box 3723
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(310) 768-3853 tel (310) 538-9654 fax
www.harborgatewaynorth.org
hgnnc@sbcglobal.net

Llewyn Fowlkes - District 5 Rep.
Marvin Bell - District 6 Rep.
Janet Mitchell - District 7 Rep.
Larry J. Morrison - District 8 Rep.
Deborah Lee - Community Org. Rep.
Richard Lee - Youth Representative
Theo Fowles - Outreach Representative
Eva Cooper-Pace - At-Large Rep.

January 23, 2017

Council President Herb Wesson City Hall 200 N. Spring Street Los Angeles, CA 90012

Re: Council File 15-1022-S2 (Online voting and improved experience for Neighborhood Councils)

Dear President Wesson:

At our January 10, 2017, Board meeting, we voted 15-0-0 to support Council File 15-1022-S2 which would suspend further implementation of the online voting system for future elections until the Department of Neighborhood Empowerment completes a report on the 2016 online voting experience.

We were one of the Neighborhood Councils which chose to try out online voting for our Board election in 2016 and experienced many issues with the system, including the online voter registration which was cumbersome and slow and which discouraged many from signing up to vote via this method. Voters voting in-person on election day were sometimes placed in the wrong internal Districts due to insufficient training on the part of polling staff, so there needs to be better training of election staff. Most importantly, there needs to be paper verification of the voter's selection generated for both online voting and voting at the polling site in order to have confidence in the reported total number of voters and announced winning candidates. We also strongly support giving Neighborhood Councils the option of voting either online or with paper ballots.

On the positive side, we found that the pop up polling offered in three locations before our official election date was useful in attracting more online registrations. This is something that should be offered in an advertised location every week during the online registration period to encourage greater participation.

Sincerely,

Hannah Woods, Corresponding Secretary Harbor Gateway North Neighborhood Council

cc: Councilmember Joe Buscaino - Council District 15 John Jones III, Field Deputy - Council District 15 Aksel Palacios, Field Deputy - Council District 15 Grayce Liu, General Manager – Department of Neighborhood Empowerment
Octaviano Rios, Neighborhood Council Advocate - Department of Neighborhood Empowerment
Stephen Box, Director of Outreach and Communications - Department of Neighborhood
Empowerment

Neighborhood Council: West Los Angeles Neighborhood Council

Name: Naomi Kageyama

Phone Number:

Email: nkageyama@wlanc.com

The Board approved this CIS by a vote of: Yea(8) Nay(0) Abstain(1) Ineligible(0) Recusal(0)

Date of NC Board Action: 01/25/2017

Type of NC Board Action: Against unless Amended

Impact Information Date: 02/22/2017

Update to a Previous Input: No

Directed To: City Council and Committees

Council File Number: 15-1022-S2

Agenda Date: Item Number:

Summary: The West Los Angeles Sawtelle Neighborhood Council instructs the Department of Neighborhood Empowerment to suspend the implementation of the online voting system at this time until further outreach and analysis is completed.

The following summarizes our position:

- We as an NC want self-determination over our election process.
- We are open to discussion about on-line voting but need to solicit community input and analysis via outreach and engagement activities.
- We will strive for cooperation and consensus among all other NC's as we believe this effort needs to be generated at the NC level and not at a higher level of City government.
- We are open to more uniformity in voting process but require self-determination for our neighborhood.

Neighborhood Council: Lake Balboa Neighborhood Council

Name: Linda Gravani

Phone Number: (818) 481-071 Email: lgravani@hotmail.com

The Board approved this CIS by a vote of: Yea(17) Nay(0) Abstain(0) Ineligible(0) Recusal(0)

Date of NC Board Action: 02/01/2017 Type of NC Board Action: For if Amended

Impact Information Date: 02/14/2017

Update to a Previous Input: No

Directed To: City Council and Committees

Council File Number: 15-1022-S2

Agenda Date: Item Number:

Summary: LBNC agrees that DONE was not prepared for our election.

LBNC participated in the on-line voting. We had 53% FEWER vote than in 2014. There were MANY problems with Candidate Registration and MANY problems with Stakeholder Registration and actual day of voting. LBNC WILL NOT participate in future on-line voting unless LBNC determines DONE/City Clerk are properly prepared in the eyes of LBNC

Neighborhood Council: Greater Valley Glen Neighborhood Council

Name: Walter Hall

Phone Number: (818) 766-0888

Email: whall@greatervalleyglencouncil.org

The Board approved this CIS by a vote of: Yea(12) Nay(1) Abstain(0) Ineligible(0) Recusal(0)

Date of NC Board Action: 02/06/2017

Type of NC Board Action: For

Impact Information Date: 02/27/2017

Update to a Previous Input: No

Directed To: City Council and Committees

Council File Number: 15-1022-S2

Agenda Date: 06/29/2016

Item Number:

Summary: The Greater Valley Glen Council endorses the Motion (CF 15-1022-S2) made at City Council suspending the use of online voting for future Neighborhood Council elections until otherwise authorized. As California Elections Code Section 19217 prohibits online voting, such voting for Neighborhood Councils, which are empowered to spend monies from Los Angeles' general fund, is on its face inappropriate. We take exception to recommendations from DONE to the City Council in their report on online voting dated January 17, 2017 regarding lowering the voting age to 12 and restricting voting categories to three as compromising the Neighborhood Council's ability to self-govern.

Neighborhood Council: Silver Lake Neighborhood Council

Name: Scott Plante

Phone Number: (617) 308-8729 Email: scott.plante@silverlakenc.org

The Board approved this CIS by a vote of: Yea(19) Nay(0) Abstain(0) Ineligible(0) Recusal(0)

Date of NC Board Action: 02/01/2017

Type of NC Board Action: For

Impact Information Date: 02/07/2017

Update to a Previous Input: No

Directed To: City Council and Committees

Council File Number: 15-1022-S2

Agenda Date: Item Number:

Summary: The Silver Lake Neighborhood Council INSTRUCTS the Department of Neighborhood Empowerment to suspend the implementation of the online voting system until (1) DONE completes a report within 30 days, or in sufficient time for the Council to take any necessary action prior to any future neighborhood council election, with information about the experience of online voting for candidates, voters, staff and other stakeholders, and on the actions that DONE intends to take to improve the implementation process, outreach, training, data security, and other processes; and (2) the Council takes further action approving online voting under the conditions to be determined by the City Council, after consideration of DONE's report.

Neighborhood Council: South Robertson Neighborhood Council

Name: Doug Fitzsimmons
Phone Number: <u>213.804.6659</u>
Email: <u>dougfitzsimmons@soronc.org</u>

The Board approved this CIS by a vote of: Yea(15) Nay(0) Abstain(0) Ineligible(0) Recusal(0)

Date of NC Board Action: 02/16/2017 Type of NC Board Action: For if Amended

Impact Information Date: 03/16/2017

Update to a Previous Input: No

Directed To: City Council and Committees

Council File Number: 15-1022-S2

Agenda Date: Item Number:

Summary: Please see our attached letter for more detail.

In short:

- Eliminate photo ID requirement. Not acceptable at the state level, not acceptable here.
- Minimum 15 year old voter age limit
- 3 ballot types should be a City Clerk target, not a mandate
- Increase DONE funding for citywide promotion
- Formal review of election rules and practices for NCs whose turnout is in lowest third
- Require filing of outreach plan prior to election and post-mortem after
- We do not support a 20% mandatory election spend. It will lead to waste and frivolous spending.
- Moving to odd-number years for NC elections is reasonable
- Do not extend terms beyond the necessary one year to get on the odd-year cycle

We generally support online voting, but:

- Registration is a broken mess. Must be fixed before the system is used again.
- ID upload was a major barrier to registration. Should not be required.
- Once the voting period began, there was still a long delay between registration and ability to vote. Users should be allowed to vote, even if ballot is provisional.
- Users must have immediate confirmation of registration (or see the errors they have to correct).
- Electioneering rules were not enforced at popup polls.
- The process for requesting a popup poll was flawed. A candidate could request a popup poll at locations that favored the candidate. Must have aggressive public notice and strong outreach to all candidates. Optionally, perhaps only an NC can request a popup, or a neutral NC committee be required to approve popups.

Neighborhood Council: NC Valley Village

Name: Anthony Braswell
Phone Number: 310-423-4472
Email: Anthony.Braswell@cshs.org

The Board approved this CIS by a vote of: Yea(13) Nay(0) Abstain(0) Ineligible(0) Recusal(0)

Date of NC Board Action: 02/22/2017 Type of NC Board Action: Against

Impact Information Date: 03/08/2017

Update to a Previous Input: No

Directed To: City Council and Committees

Council File Number: 15-1022-S2

Agenda Date: Item Number:

Summary: The Board of Neighborhood Council Valley Village has taken the following positions related to the Department of Neighborhood Empowerment Election Report Summary, CF 15-1022-S2, specifically as follows: 1. Voters may use any form of identification and may self affirm (oppose 13-0-0). 2. Voter age be lowered to 16 years (oppose 13-0-0). 3. There should be a maximum of 3 ballot types (approve 13-0-0). 4. EmpowerLA will seek funds to expand election outreach (approve 13-0-0). 5. Set aside 20% of NC funding for election outreach (oppose 13-0-0). In addition NCVV's Board voted (approve 11-2-0) to hold elections as scheduled in 2018. Further, our Board voted (approve 13-0-0) to formally request that our region be scheduled later this year.

A letter providing detailed information on each item has been sent to President Shaffer, President Wesson and Councilman Krekorian, and also to General Manager Grayce Liu.

Tony Braswell, President Ginny Hatfield, Vice President Steven Stokes, Treasurer Dale Liebowitz-Neglia, Secretary Dorothy Apple Daryl Baskin Glenn Block Richard Davies Alice Hart Suzanne Lewis Lisa Miller Richard Poole Paulette Stokes Jeff Walker Marc Woersching Cole Walker, Student Representative



NEIGHBORHOOD COUNCIL VALLEY VILLAGE

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March 3, 2017

The Honorable Leonard Shaffer, President Board of Neighborhood Commissioners The Honorable Herb J. Wesson President, Los Angeles City Council The Honorable Paul Krekorian Los Angeles City Councilmember District 2

RE: Neighborhood Council Elections, CF 15-1022-S2

Dear President Shaffer, President Wesson and Councilman Krekorian:

At the February 22 meeting of Neighborhood Council Valley Village (NCVV), our Board held a robust and lengthy discussion about proposed changes to the NC election process, detailed in the Department of Neighborhood Empowerment Election Report Summary and referenced in Council File 15-1022-S2.

Our Board members thoroughly reviewed each recommendation, and engaged input from stakeholders who were present at Board and committee meetings. A separate vote was taken on each recommendation, and the Board added a sixth two-part recommendation that is unique to Valley Village and to our election "region".

The BONC recommendations and our Board's position on each are:

1. Voters may use any form of identification and may self-affirm their affiliation without any further documentation.

Our Board voted unanimously against this recommendation (13-0-0). We feel strongly that identification and proof of stakeholder status is important to the integrity of the election, and it has served our stakeholders well without creating any barrier to voter participation. The Board also strongly held the opinion (13-0-0) that online voting should not be mandatory but left up to each individual NC as they best know the successful methods of community engagement among their stakeholders.

2. Voter age be lowered to 16 years old where applicable.

Our Board voted unanimously against this recommendation (13-0-0). The discussion on this matter was led by our Student Board member, Cole Walker. Our bylaws allow for up to 2 student Board members who participate in all aspects of our Board's work. While their votes do not count toward a quorum, they are noted in our minutes. We provide a great "laboratory" for students to participate in every aspect of local government, and have successfully had 5 student Board members in our Board history, each serving a two-year term. We feel strongly that allowing the voting age to revert to 16, without

NC Election Report Feedback Neighborhood Council Valley Village March 3, 2017 page two

eligibility for a Board seat, is not appropriate. Board service for a student would be difficult. Our Board members are required to attend 11 Board meetings per year, serve on at least one Board committee, participate in one all-day retreat, and physically support our 3 annual signature events. The monthly time demands on our Board members are easily 10+ hours, most on week nights.

Board service would be particularly challenging for a student, as Juniors and Seniors do not typically have time to participate at levels required in our bylaws. What we provide in our NCVV student seat is a valuable learning experience that could/should be a template for other NCs. We feel very strongly that the voting age should remain at 18 years of age, and that a well-managed student Board seat can help integrate young people into the civics of city and neighborhood governance, and serve the dual purpose of grooming future Board members.

3. There should be a maximum of 3 ballot types for every Neighborhood Council election.

NCVV's Board of Directors voted unanimously to support this (13-0-0), and further encourages BONC and DONE to find a way to develop a balloting system that can incorporate small NCs such as Valley Village, which has one ballot allowing stakeholders to vote in all categories listed, as well as the larger NCs which ascribe to multiple district voting within their boundaries. The latter approach tends to be confusing to stakeholders and much more difficult to administer.

4. EmpowerLA will ask for funds to expand election outreach so that existing Board members aren't expected to do extensive outreach to find people to run against them.

NCVV's Board of Directors voted unanimously to support this (13-0-0). We wholeheartedly support this proposal and it has been recommended several times over various election cycles. Empower LA can play a positive role in promoting outreach at the Regional level; developing a full scale PR campaign to educate voters at each step of the process; i.e., announcing each regional election, the call for candidates, candidate forums, and election day information. The NCs could then concentrate on engaging voters and providing the detailed information relevant to each NC.

5. In an election year NCs should set aside 20% of their funding for election outreach notification and costs.

NCVV's Board of Directors voted unanimously against this recommendation (13-0-0). While our own NC does spend approximately 20% of our funding in election years on the election process, we are not in favor of establishing a 20% mandatory allocation. We feel this should be a decision left to each individual NC. We are a smaller NC and know what works best for engaging our stakeholders. Larger NCs face a greater challenge in reaching out to their stakeholders. Perhaps consideration should be given to establishing minimum requirements for all NCs related to tasks they need to accomplish before their election process could be approved; a checklist of sorts which outlines the tasks that must be completed in order to carry out a successful election. NCs could then allocate funds to complete each task according to what best works in their communities. EmpowerLA would be responsible for monitoring each task before moving on to the next. This approach provides continuity to the overall system but still gives the NCs the ability to tailor their outreach to the needs of their community.

NC Election Report Feedback Neighborhood Council Valley Village March 3, 2017 page three

In addition to these five items put forward by the Department of Neighborhood Empowerment Election Report, Neighborhood Council Valley Village held two additional discussions and voted on two other matters:

Should the elections currently scheduled be held as planned in 2018, or postponed until 2019? Although there was some disagreement among the Board, the majority felt (11-2-0) that the election should be held in 2018 as planned.

The Board of Neighborhood Council Valley Village also voted unanimously (13-0-0) to request that the Southeast San Fernando Valley (Region 4) be allowed to move later into the election schedule, rather than having to go first or second as we have in the past several years.

We are grateful for the opportunity to respond to the Department of Neighborhood Empowerment Election Report Summary, and look forward to working with DONE and BONC to make the next elections the best yet.

Sincerely,

Anthony J. Braswell President, NCVV

Virginia M. Hatfield Vice President, NCVV Chair, Elections & Bylaws Committee

cc: Grayce Liu, General Manager Department of Neighborhood Empowerment NCVV Board





Doug Fitzsimmons

Ken Blaker Vice-President

Jon Liberman Treasurer

Beth Hirsch Secretary

Martin Epstein
Corresponding Secretary

South Robertson Neighborhoods Council

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soronc.org



Rules, Elections, Intergovernmental Relations, and Neighborhoods Committee Hon. Herb Wesson, Chair 200 N. Spring Street Los Angeles, CA 90012

17 February 2017

Re: Neighborhood Council Elections

The South Robertson Neighborhoods Council believes in encouraging community participation and enfranchising as many voters as possible. At our February 2017 Governing Board meeting, the SORO NC Board voted to unanimously recommend the following reforms to the NC election system:

Voter Registration: we are in favor of lowering the barriers to registration to enfranchise more voters, including eliminating the photo ID requirement for online registrations. As a practical matter, it creates delays in confirmation and is inconsistent with Federal, State, County, and City requirements.

Voter Age: we are in favor of allowing youth to vote in NC elections, and have had success with our own 15 year-old minimum age requirement. We further strongly recommend that NCs follow our practice of appointing a student to a yearly term on the Board.

Ballots: we support the Clerk's office working with NCs to reduce the ballot types within a single NC election, while remaining flexible on a maximum where it is in the community interest to be so. Three ballot types should be a target, not a mandate.

Citywide Outreach: as many stakeholders remain unaware of the NC system at all (for many reasons), we support additional funding for DONE promote NC elections as opportunity to increase general participation and awareness.

Election Funding and Inclusivity: NCs should favor inclusivity and participation at every opportunity. We therefore recommend review of election rules and practices of NCs whose candidate registration and voter turnout places in the lowest third in the system each election. **Further, all NCs should be required to file an election outreach plan prior to the elections and a post-mortem after.** We *do not* believe setting a minimum expenditure of 20% of the NCs budget is the proper way to address the problem: it would invariably lead to waste and frivolous expenditures, eroding civic trust in the system and City.

Election Timing: we understand that the complexities of NC elections mean that it is impractical to hold them concurrently with other elections, and agree that moving them to odd-number-years is a reasonable solution. However, we strongly oppose any effort to extend terms beyond an additional year to implement the change. This has already happened once (in 2008), and in the interests maintaining the legitimacy of our elections, should never be repeated.

Online Voting: as a pilot participant in the 2016 online voting program, we support the future use of online voting, but only if the following problems are corrected:

a. The registration software failed to operate correctly. The most egregious failure occurred when many registrants entered their addresses and were then incorrectly warned, in an alert window, that their address did not fall within the SORO borders. That alert message caused some voters to abandon the registration process, and leading to voter disappointment and





disenfranchisement. Our endorsement of future online voting is predicated on the software processes being fully tested and passing all tests, including endto-end testing.

- b. Many voters complained about the perceived need to upload an image of their state issued photo ID (usually driver's license). We understand that the photo ID requirement was not limited to state issued forms of such ID. We feel that this complaint was indicative of a poorly worded instructions on the website, and our endorsement of future online voting is predicated on the clear, complete, plain language and easy to follow instructions be implemented on the website, with instructions located on the relevant pages.
- c. Regarding the photo ID requirement, we also question the logic of the photo ID requirement since the process does not support visual validation of the image of the voter at the time they vote.
- d. Many voters complained about long delays between the time they completed the online registration and when they were able to vote. We recommend that registrants be allowed to vote right after they complete their registration application, with their vote remaining provisional until their registration is approved. We further recommend that a link be provided at the time of the provisional vote where they can check to see whether their vote has been accepted.
- e. The online ballot software provided no confirmation that the completed ballot had been accepted. We recommend that voters be shown an alert window after they click the submit button for their ballot, showing that their ballot has been recorded, or listing any validation errors that have caused their ballot to not be recorded (and allowing them to correct such validation errors).
- f. We support future use of popup polling process that was done several times in our Neighborhood, but would like to see several problems corrected in the use of those popup polling places.

Electioneering rules were not enforced at popups, and in some cases the physical locations, such as sidewalk locations, made it difficult for candidates to lead voters to the polling place without pushing or exceeding permissible limits. We recommend that this issue be reviewed with the City Attorney to determine clear rules for the people who run the popup polling, and for candidates, to permit optimal stakeholder inclusion without creating an environment where voters are uncomfortable or feel constrained as they register and complete their ballots.

In some cases popup polling places were requested by industrious candidates who were better informed than their competitors regarding how to arrange popup polls. We recommend that a clear and equitable process be adopted for popup polls, and all popup polls be subject to consistent requirements for public notice and outreach. While we did not come to consensus on that process, ideas include:

- all candidates be provided with the same information regarding how to request popup polling places, and any limits on timing or dates that the city is imposing
- requests be approved on a "first-come, first-served" basis
- alternately, popup polls should only be requested by an NC, not a candidate:





• the NC's election committee (or a panel of Boardmembers not up for election) review and approve all popup poll requests.

Please contact me if you have any questions.

Sincerely,

Doug Fitzsimmons

President, South Robertson Neighborhoods Council

Contact Information

Neighborhood Council: Studio City Neighborhood Council

Name: Denise Welvang

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The Board approved this CIS by a vote of: Yea(11) Nay(0) Abstain(0) Ineligible(1) Recusal(0)

Date of NC Board Action: 01/30/2017 Type of NC Board Action: For if Amended

Impact Information Date: 02/25/2017

Update to a Previous Input: No

Directed To: City Council and Committees

Council File Number: 15-1022-S2

Agenda Date: Item Number:

Summary: The Studio City Neighborhood Council (SCNC) has reviewed and acknowledges with recommendations the DONE online voting election report. The Department of Neighborhood Empowerment has touched on most of the major issues but there are still issues that require further investigation. The City Council should use this opportunity to investigate other aspects of the Department of Neighborhood Empowerment's (DONE) management of the NC election process, including effective outreach, electoral information dissemination, poll management and oversight. Additionally, the Council should investigate the documentation requirements and timelines for, as well as fraud prevention in, the filing of election challenges. The grievance panel policies specifically related to NC elections also deserve scrutiny. Dependable and trusted polling mechanisms are essential to underpin the legitimacy of any elected representative or elected representative body.

Contact Information

Neighborhood Council: Los Feliz Neighborhood Council, Los Feliz Neighborhood Council

Name: Linda Demmers

Phone Number: <u>213-973-9758</u> Email: <u>Idemmers@losfeliznc.org</u>

The Board approved this CIS by a vote of: Yea(14) Nay(0) Abstain(0) Ineligible(0) Recusal(0)

Date of NC Board Action: 02/21/2017

Type of NC Board Action: For

Impact Information Date: 02/26/2017

Update to a Previous Input: Yes

Directed To: City Council and Committees

Council File Number: 15-1022-S2

Agenda Date: Item Number:

Summary: SEE ATTACHED REPORT. The Los Feliz Neighborhood Council (LFNC) advises that before any binding decision is made regarding the continued use of online voting for neighborhood council elections, the DONE "Report Back" be thoroughly vetted and other components of the election process be reviewed to create a more effective and trusted election/voting process. This report is submitted to speak specifically to DONE's "Report Back" to Council File 15-1022-S2 dated January 17, 2017 and its recommendations and further funding requests.

BACKGROUND:

In 2006, a Neighborhood Council Review Commission (NCRC) was assembled at the behest of The Los Angeles City Council to review the progress its neighborhood council system had made since its inception.

In September 2007, the NCRC's final report made a key recommendation: "The City Clerk shall organize and run neighborhood council elections," as the Clerk had the most expertise in facilitating elections, and it should "guide all aspects of the election process, including "candidate forums and debates, and community outreach up until election day."

In 2008 and 2010, the City Clerk coordinated and conducted neighborhood council biennial elections. Leading into the 2012 election cycle, it was discovered the City's approved fiscal year budget did not make any line-item funding allocations for conducting neighborhood council (NC) elections; "There is no money for elections this year."

After many surveys, discussions and debates of varying approaches that could address the "NC election crisis," including canceling the elections entirely, a large number of NC's were insistent elections be held. At this time, The Department of Neighborhood Empowerment (DONE) floated a plan for how they could facilitate the elections on a reduced budget. A proposal ultimately approved by City Council.

DONE has since overseen NC elections in 2012, 2014 and most recently, 2016, with the assistance of the City Clerk in varying capacities, essentially setting aside the NCRC's recommendation.

In 2013 Councilmember, Jose Huizar, promulgated legislative policy changes to "combat abuse of the Neighborhood Council (NC) electoral process" by amending the city-wide Stakeholder Definition requiring stakeholders to have "substantial and ongoing participation within the neighborhood council's boundaries" to thwart 'Starbucks Stakeholders' who qualified to vote by simply presenting a Starbucks' receipt (or one from any other type of recognized establishment).

In 2016, after introducing a "pilot" online voting system, DONE was instructed by City Council to suspend any further implementation of NC online voting and produce a report detailing the pilot's results, and the "experience of online voting for candidates, voters, staff and other stakeholders, and on the actions that DONE intends to take to improve the implementation process, outreach, training, data security, and other processes."

INTENT:

This document is submitted to speak specifically to DONE's "Report Back" to Council File 15-1022-S2, dated January 17, 2017, and its recommendations and further funding requests.

COMMENT:

1. DONE's report does not adequately explain the nuances between neighborhood councils that validate voters by 'documentation' and those that validate by 'self-affirmation' where the latter is basically an honor system entrusting voters to abide by the rules on their own volition. Presenting oneself to a poll registration worker as a bona fide neighborhood

stakeholder is a different experience than clicking a box on an electronic device with near complete anonymity. Online voting for self-affirmation councils can be rife for abuse and voter fraud. The City Clerk specifically recognized this in its 2010 post-election "after-action" report.

- 2. DONE's report recommends requiring the use of photo identification ('Photo IDs') as a catchall for ensuring online voters are legitimate stakeholders. However, possessing a photo ID does not ensure any voter is truly a stakeholder in any given neighborhood by virtue of the stakeholder definition itself, specifically 'Community Interest Stakeholders'.
- 3. DONE's report makes no mention of how it would verify or spot-check ID credentials in online voting submissions. Various software applications, e.g., Adobe Photoshop allow for easy manipulation of address or other information not discernible to the naked eye, whether it's on a utility bill, real estate tax record or photo ID. It appears that in 2016, electronically uploaded voter validation graphics (including smart-phone photos) were accepted at face value.

The process at a polling place is a bit different, as it requires a face-to-face human interaction, and an actual document as opposed to a virtual one.

- 4. DONE's report cites both voter counts and vote counts, but are not specifically qualified. One voter can cast numerous votes, and this is not delineated. It is unclear whether online votes cast at polling places were folded into the overall or neighborhood-specific numbers.
- 5. DONE's report concedes the results of online voting in 2016 were underwhelming given touted assumptions that instituting an online voting system would substantially increase voter participation.
- 6. DONE's report data shows conclusively, that on the whole, councils participating in online voting saw <u>overall decreases of nearly 20%</u> in voter turnout from their previous election cycles. This after the Department introduced 'pop-up polls' used in addition to the polling place to bolster online voting. The initial intent of online voting was to make it convenient for stakeholders to vote "from home." These pop-up polls were only provided to councils participating in the online voting pilot, and specifically denied to councils who did not participate.
- 7. DONE's report data shows the majority of councils who used online voting in 2016 and experienced voter turnout increases from their previous election cycles, came from councils validating voters by self-affirmation. Councils requiring 'documentation' saw much larger drop off in voter participation than the aggregated whole.

SUMMARY:

In recent months, focus on voter, ballot and polling place integrity is at the forefront of our national conversation. Regardless of the level a public election is conducted at, faith in the integrity of the process must be unassailable.

DONE's posture in their conduct of NC elections seems to be almost entirely motivated by delivering higher metrics that equate voter turnout with election success. In the pilot test,

the introduction of pop-up polls after the initial regional turnout numbers were less than promising, appeared to be an effort to drive online voter participation metrics up, rather than accurately test whether online voting is as effective as envisioned. What seems entirely missed by this approach is that in a unique system where the standard definition of stakeholder is somewhat vague and open to interpretation, quantity does not necessitate quality.

In 2014, voters in Silver Lake's NC election were given ballots after presenting printed "credentials" generated by a privately created, issue-driven web site that qualified them as stakeholders. These credentials took less time to generate than it would to enter a Starbucks, stand on line and buy a latte. Yet, these were readily accepted as bona fide indicators of "substantial and ongoing participation" in the neighborhood. It's questionable whether whoever oversaw that polling place understood the spirit of the 2013 legislation to combat abuse of the NC electoral process, or was motivated by DONE's institutional belief that when it comes to voter turnouts, bigger is better.

DONE's report summarily communicates that although online voting failed to meet expectations in 2016, that with a funding increase, they're confident they can make a success of it. Further, they cite the formation via sub-division of two new councils (Hermon and Skid Row) as the foundation of an impending deadline to do so. If ninety plus neighborhood councils have been formed and hundreds of NC elections conducted without online voting mechanisms, why is this being put forward as an imperative?

DONE also recommends limiting the number of ballot types to three (3) would simplify the election process. This sounds logical, yet it does not speak to the complex representation structures neighborhood councils created to fit their specific constituent models. While convenient for DONE's election management process, it would require many NCs to potentially reconstitute the basic tenets of how they are organized by rewriting their bylaws to accommodate such a stricture, ostensibly suggested to make online voting-- a yet unproven process-- easier to facilitate.

RECOMMENDATIONS:

- 1. Regardless of what the ultimate decision is regarding the future use of online voting for Los Angeles neighborhood council elections, the decision of whether a council opts into using online voting should be made by each council and not have it mandated upon them.
- 2. Further, DONE can recommend an annual budget percentage it believes should be spent on election outreach, but DONE should not be granted the authority to place any mandatory minimum expenditure upon neighborhood councils.
- 3. Los Angeles' City Council, Mayor, Board of Neighborhood Commissioners, et al., should not only concern themselves with the efficacy of online voting in NC elections, but also broaden the discussion to how the entire NC election process is facilitated, and whether simpler, less expensive, viable alternatives exist?

PERSPECTIVE:

When the Los Feliz Neighborhood Council (LFNC) debated whether or not to participate in the NC online voting pilot, the prevailing sentiment was the proposed mechanism was yet untested and unproven, and DONE could not speak to potential unintended consequences that could befall a council who validated voters by self affirmation--as we do--while voting online; we opted out of the pilot.

In 2010, with over 1500 voters participating, Los Feliz had one of the highest voter turnouts in the city.

In 2014, when the 'Factual Basis' stakeholder definition was revised with 'Community Interest' stakeholder, we updated our election guidelines to specifically define what a constitutes a 'Community Organization', which is an integral component of stakeholder criteria. Signing up on a website or social media page will not qualify a voter in Los Feliz.

Subsequently, our voter turnouts in 2014 and 2016 have been diminished to numbers in the 300-400 range, as people can no longer walk-in to our polling place, self-affirm by rationales such as: "I love Griffith Park" and cast a ballot. Our voter turnout is lower, yet in 2016, every open seat on our Governing Board was contested, and it is virtually undeniable every prevailing candidate was elected by his or her constituents, and only by those constituents. Sometimes, bigger is not necessarily better.

Certainly, higher voter turnouts would be generally considered as optimal in any democratic election. However, NC Boardmembers, vis à vis the stakeholder definition are elected under much different criteria than most other public offices. In 2016, according to data from the U.S. Census Bureau, nearly 30% of Americans eligible to vote in the presidential election, didn't. For Los Angeles neighborhood councils, online voting has been positioned as a panacea to combat L.A.'s abysmally low voter turnouts, while other viable alternatives have not been adequately considered.

Prepared by:

linda Demmer

M.F. M......

Linda Demmers & Mark F. Mauceri

President & Vice President (former); NC Election Chairs, 2012 & 2016

Los Feliz Neighborhood Council (LFNC)

Contact Information

Neighborhood Council: Greater Wilshire Neighborhood Council

Name: Joseph Hoffman

Phone Number: <u>323-539-4962</u> Email: <u>secretary@greaterwilshire.org</u>

The Board approved this CIS by a vote of: Yea(11) Nay(1) Abstain(4) Ineligible(0) Recusal(0)

Date of NC Board Action: 03/08/2017

Type of NC Board Action: Against unless Amended

Impact Information Date: 03/21/2017

Update to a Previous Input: No

Directed To: City Council and Committees

Council File Number: 15-1022-S2

Agenda Date: Item Number:

Summary: The Greater Wilshire Neighborhood Council believes in encouraging community participation and enfranchising as many voters as possible without needing to modify the representative structure of our Board. Regarding the Report Back by DONE on Council File 15-1022-S2, the GWNC does not support online voting until such time that it can include verification of factual-basis stakeholder status. We reject and oppose the recommendation that voter registration documentation be only by self-affirmation and picture ID as that alone does not evidence voter residency, ownership, or employment within the geographic boundaries of the GWNC. We reject the need for simplified balloting only as a matter of efficiency that would require a change in our bylaws and the representative structure of our Board. We support the voter age being lowered to 16 years of age to encourage young Stakeholders to participate in the civic process.

Contact Information

Neighborhood Council: Palms Neighborhood Council

Name: Alison Regan Phone Number:

Email: alison.regan@palmsnc.la

The Board approved this CIS by a vote of: Yea(13) Nay(0) Abstain(0) Ineligible(0) Recusal(0)

Date of NC Board Action: 03/01/2017 Type of NC Board Action: For if Amended

Impact Information Date: 03/15/2017

Update to a Previous Input: No

Directed To: City Council and Committees

Council File Number: 15-1022-S2

Agenda Date: Item Number:

Summary: The Palms Neighborhood Council supports DONE recommendations 1, 2, 4, and 5 regarding online voting. In particular, the PNC supports, in concept, the requirement that all NC's set aside 20% of their budget for elections because of the importance of widely publicized elections. If, however, an NC can demonstrate an effective advertising strategy for less than 20%, there should be an exception to the requirement in that case. The PNC also encourages DONE to work to ensure all NCs are equipped with a strong outreach plan and election strategy.

The PNC opposes recommendation number 3. DONE should first determine the different types of ballots currently being used and then rank them according to use. That information should then be utilized to determine acceptable ballot types, with input from the NC's. The current recommendation is arbitrary and doesn't account for the various situations where certain ballot types may be optimal.

Skid Row
CITY LIMIT
POP Too Many ELEV 2008

SRNC

-OFFICIAL-SUBDIVISION APPLICATION

- DECEMBER 6, 2016 -

Skid Row
CITY LIMIT
POP Too Many ELEV 2008
SRNC

-OFFICIAL-SUBDIVISION APPLICATION

- DECEMBER 6, 2016 -



TIMELINE



Assigned users

🚡 Sevak Paramazian, 🧂 Mike Fong

Launched

about 1 month ago

Status Completed

Neighborhood Council Name

Field name

Field value

Neighborhood Council Name

Skid Row Neighborhood Council

CONTACT PERSON 1

Field name

Field value

First Name

General

Last Name

Jeff

Phone

+13234450723

Number

Email

issuesandsolutions@yahoo.com

Address

Mailing

1626 North Wilcox Avenue #924 Hollywood,

Address

California 90028

Stakeholder

Community Interest

Type

CONTACT PERSON 2

Field name

Field value

First Name

Katherine

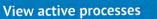
Last Name

McNenny

Phone

+13109413585

Number



Manage templates



Email Address katherine.trees@yahoo.com

Mailing

420 South San Pedro Street #430 Los Angeles,

Address

California 90013

Stakeholder

Own Real Property

Type

CONTACT PERSON 3

Field name	Field value
First Name	Charles
Last Name	Porter
Phone Number	+12134404891
Email Address	charlesp@socialmodel.com
Mailing Address	804 East 6th Street Los Angeles, California 90021
Stakeholder Type	Work

CONTACT PERSON 4

Field name	Field value				
First Name	Hayk				
Last Name	Makhmuryan				
Phone Number	+12134889559				

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Email Address Haykm@lampcommunity.org

Mailing

526 South San Pedro Street Los Angeles,

Address

Type

California 90013

Stakeholder

Work

CONTACT PERSON 5

Field name Field value

First Name Deacon

Last Name Alexander

Phone Number +12139858770

Email Address deacon.alexander@yahoo.com

Mailing Address Homeless in Skid Row, Downtown Los

Angeles

Stakeholder

Field name

Type

Live

BOUNDARIES

1. Describe Boundaries North: 3rd Street South: 7th Street

Field value

East: Alameda Street West: Main

Street

2. Attach a map of the Neighborhood Council 2014_Skid_Row_Map_with_grid.pdf



3. Explain why these boundaries were chosen. For example, the boundaries may be based on census tracts, on historical landmarks, on existing community planning areas, etc.

In 2006, the City of Los Angeles offered these exact borders in the Jones v. City of Los Angeles settlement agreement to the 9th Circuit Court of Appeals in San Francisco as the official borders of Skid Row.

4. Do the proposed boundaries overlap with any other Neighborhood Council boundaries?

Yes

5. If the answer to Question 4 is "Yes", list the Neighborhood Councils which are affected by the boundary overlap.

Downtown Los Angeles Neighborhood Council

6. If the answer to Question 4 is "Yes", explain why you believe the boundary overlap exists. What is the reason for the overlap? For example, the overlapping area may include a park, a school, a library, a facility or a building of historical significance, etc.

The Downtown Los Angeles Neighborhood Council lists it's Skid Row resident borders as starting on Los Angeles Street to the West.

7. Does the Neighborhood Council area contain at least 20,000 stakeholders? No

8. If the answer to Question 7 is "No", mark the space or spaces below which apply:

Neighborhood Council represents an historic neighborhood or community AND includes City service providers such as a library or a police station



9. If the population in the Neighborhood Council contains more than 20,000 stakeholders, estimate the total:

Unknown

AREA PROFILE

Field name

Field value

Why are you seeking a Neighborhood Council subdivision?

With Skid Row commonly known as "The Homeless Capitol of America", there are unique qualities and needs which vastly differ from the typical and main focus of the Downtown Los Angeles Neighborhood Council which has led to extreme contrast between the two areas- A welldocumented "Downtown revitalization" which has spurned Billions of dollars of new development (including upscale lofts, condos and hotels), while Skid Row has been equally well-documented for it's widespread squalor which has led to thousands of homeless men, women and children residing in tents and encampments on sidewalks all while at the same time, hundreds of businesses struggle to operate in a normal manor while having no choice but to work from within an environment filled with seemingly endless deplorable conditions for all to see who either reside, work or traverse within our borders.

Describe the residential profile of the Neighborhood Council.
Examples: "Mostly single family homes", "Mostly apartments", "Mixture of single family and multiple family dwellings".

The residential profile in Skid Row historically consists of mostly homeless (tents, encampments) and transitional (missions, SRO's) with a gradual increase over the years of market rate and live/work dwellings due to adaptive reuse and new constructs. There is also a presence of new permanent supportive housing units with more proposed in the immediate future.



Describe the commercial or business profile within the Neighborhood Council. Examples: "Mostly businesses with less than 10 employees" "Mostly businesses with around 100 employees" "Mostly businesses with hundreds of employees" "Mostly industrial or manufacturing businesses" "Mostly retail or service businesses" "A

The business profile in Skid Row consists mostly of businesses with less than 50 employees. The "Toy District" area within Skid Row consists of mostly wholesale businesses while the "Industrial District" area within Skid Row mostly consists of seafood businesses, a few cold storage facilities and warehouses zoned for light manufacturing. There are also service-oriented businesses within Skid Row with most of them on the western side of our community.

Describe the economic profile of the Neighborhood Council. Examples: "Affluent", "Middle income", "Mostly unemployed", "A mix of upper, middle and lower income people".

mixture of different types of businesses"

The economic profile of Skid Row is well-beneath the poverty line for residents and middle-class for businesses. With more mixed-income housing projects slated for the future, it is anticipated that Skid Row will no longer be a community of extremes and instead become a community which reflects the very diversity that the City of Los Angeles prides itself in having.

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Describe the

types of

employment that are available within the

The types of employment within Skid Row include,

Retail/Wholesale/Manufacturing/Banks/Government/Health

Services/ Entertainment/Nonprofit/Art/Film/Transportation

Neighborhood Council. Examples: Retail / Wholesale / Manufacturing

Entertainment

/ Art /

Government / Health Services

/Banks / Finance Companies / Insurance / Construction /

Public Utilities

Communication / Computers

NEIGHBORHOOD OUTREACH

Field name

Field value

1. Describe in detail the outreach process used to identify community stakeholders.

The Skid Row Neighborhood Council-Formation Committee used a "self-affirmation" outreach process to determine each of our community's stakeholders. In addition, with long, well-established ties to our own community, we also were able to use "advance knowledge" in knowing our neighbors- from those who live here, work here, own property and/or are established stakeholders with a vested interest in Skid Row.

2. Describe or list the types of outreach activities used to inform stakeholders about the existence or formation of the Neighborhood Council. What types of outreach activities were employed? Examples of outreach activities include mass mailings, telephone calls, public meetings, and door-to-door

visits.

The various types of outreach activities the Skid Row Neighborhood Council- Formation Committee used to notify stakeholders of our existence were in the form of community meetings (with agendas posted in our community), public speaking during numerous community events, e-mail communications, notifications on multiple social media outlets, writing op-ed news articles, media interviews-radio, film and print, word-of-mouth conversations and also public marketing concepts such as "Ask me about SRNC" pins, Skid Row City Limit t-shirts and murals in Skid Row which depict Skid Row's borders and additional information.

3. **Approximately** how much time was spent on actual outreach activities prior to submitting this application? Examples include "one hour per week for six months", "an hour every day for one month", "at least three months", "every week since July 2000", etc.

The time we spent on actual outreach activities to promote the Skid Row
Neighborhood Council are countless- We officially started this effort in the summer of 2014, have a Skid Row NC Facebook group page which exists in non-stop perpetuity, numerous videos on YouTube which also exist in non-stop perpetuity, murals which exist in constant perpetuity and many members who talk on a variety of platforms about the need for a Skid Row NC. There are even many conversations outside of Skid Row about our SRNC- So to put a hard number on the hours committed to forming the SRNC are beyond measure!

4. Were public meetings held on behalf of the Neighborhood Council? On average, how many people attended each meeting? Were the meetings, in your opinion, productive?

YES. The SRNC-FC has has agendized meetings in Skid Row for years. The smallest was 5 people and the largest was 60 people. Each and every one of our meetings was productive which many issues in need of addressing and passionate members of our community all sharing their perspectives to the overall conversation of Skid Row.

5. Attach to this application the original signatures of 200-500 stakeholders within the proposed Neighborhood Council boundaries. Keep a copy of the signatures collected for your records. Signature amounts in excess of 500 will be retained on file by the Department as additional outreach

documentation.

SEmpowerLA116112916330.pdf

6. Signatures shall, to the maximum extent feasible. reflect the broadest array of community stakeholders who will be active participants in the Neighborhood Council. Please explain how the signature collection process was used to include, inform and educate the widest possible variety of stakeholders.

The Chair of the SRNC-FC (General Jeff) led an outreach process that was based on longstanding relationships which were developed over the last ten years while he served as both a community activist and also a member of the Board of Directors for the Downtown Los Angeles Neighborhood Council, serving for 6 years from 2008-2014. Said business and working relationships include outreach to residents, the business sector, the non-profit sector and other community stakeholders. Other members of our SRNC-FC also have built their own working relationships with individuals from the same previously mentioned demographics. The combination of these efforts led to a "word-of-mouth encouragement" throughout Skid Row. Our petition signatures were collected solely by the Chair, in order to prevent repetition. The Chair physically attended many community events and meetings. The Chair also forwarded non-profit organization the Weingart Center an electronic version of our petition, with which they collected signatures from both staff members and clients who partake in any one of a number of programs and/or activities this social service provider offers. All of our petition signatures were collected within our Skid Row boundaries and include a wide array of stakeholders, such ashoused residents, homeless residents, business owners, members of the non-profit sector, volunteers and community stakeholders who all have a vested interest and on-going collective concern regarding the state of well-being and positive improvement throughout our Skid Row community.

7. Outreach activities are a very important part of all Neighborhood Council operations. Outreach activities should be performed regularly in order to share ideas and to communicate news, events and information. Please describe below how you plan to continue to

The Skid Row Neighborhood Council-Formation Committee will continue our outreach efforts in a variety of ways, which include postings of meeting agendas, public speaking during community events and/or other community meetings and also on multiple outlets via social media. Our Skid Row Neighborhood Council Facebook group already has almost 500 members (480). We anticipate that this number will continue to increase and also intend to completely turn over any and all administrator duties to the new leadership soon after the SRNC has it's elections and becomes certified. With newlyinstalled bulletin boards in both Skid Row parks- Gladys Park and San Julian Park-public notification of all SRNC-FC actions will continue as planned. Once the SRNC is certified, additional social media outlets will be enacted and a new e-mail database will also be created. The most important and effective method of outreach efforts in Skid Row is word-of-mouth. We will help to maintain the high-level of communication and outreach throughout the transition period (from now to certification to the first SRNC elections) until the first elected SRNC Board itself is certified and assumes full

Attach samples of your outreach materials

conduct

outreach

Council is

officially

certified.

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activities after

Neighborhood

SEmpowerLA116111815250.pdf

Council.

responsibility for the Skid Row Neighborhood

Attach copies of sign-in sheets for any outreach meeting held SEmpowerLA116112916360.pdf

Posting Site #1

Field name Field value



808 East 6th Street, Los Angeles, California 90021 Address

10AM- 6PM (With 24-hour visibility from Hours

sidewalk)

Louise Caponse, Recreation and Parks, Park Contact

Director for Pershing Square, Gladys Park and San Person

Julian Park

Stakeholder Skid Row residents, nearby businesses, staff and

members of non-profit organizations and at-large Group

community stakeholders. Targeted

Posting Site #2

Field name	Field value
Site Name	San Julian Park bulletin board
Address	312 East 5th Street, Los Angeles, California 90013
Hours	10AM- 6PM (With 24-hour visibility from sidewalk)
Contact Person	Louise Capone, Recreation and Parks, Park Director for Pershing Square, Gladys Park and San Julian Park
Stakeholder Group Targeted	Skid Row residents, nearby businesses, staff and members of non-profit organizations and at-large community stakeholders.

Posting Site #3

Field name	Field value
Site Name	Downtown Industrial District Business Improvement District (BID)
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G		View active processes	Manage templates
Address	725 South Crocker Street, Los Angeles, Calif 90021	⁻ ornia	

Hours 9AM- 5PM (Monday through Saturday)

Contact Estela Lopez, Executive Director Person

Stakeholder Skid Row property owners, business owners, staff Group and members of non-profit organizations and at-Targeted large community stakeholders.

Posting Site #4

Field name	Field value
Site Name	Lobby of LAPD Central Division
Address	251 East 6th Street, Los Angeles, California, 90014
Hours	Lobby is open 24-hours (Bulletin board in lobby)
Contact Person	LAPD Central Division Captain Howard Leslie
Stakeholder Group Targeted	Skid Row residents, Los Angeles City/County employees, nearby businesses, staff and members of non-profit organizations and at-large community stakeholders.

Posting Site #5

Field name	Field value
Site Name	Skid Row Neighborhood Council Facebook Group Page
Address	Online access (Internet)- Uploaded in Skid Row, Downtown Los Angeles

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Hours 24-hour access (For anyone with access to a

computer and/or cell phone with internet access)

Contact General Jeff- Chair of SRNC-FC and SRNC

Person Facebook Group Page Administrator (Until first-

ever SRNC Board elections and subsequent

certification)

Stakeholder Any and all members of the general public with

Group an interest in Skid Row, as well as any and all

Targeted community stakeholders with a vested interest in

our Skid Row community.

Website and Social Media Information

Field name	Field value
Website Address	status pending
Twitter	status pending
Facebook	"Skid Row Neighborhood Council" - (Facebook Group Page)
Instagram	status pending
Flickr	status pending

BYLAWS

Field name Field value

1. Attach a copy of the proposed Neighborhood Council bylaws.

FINAL_DRAFT-_SRNC-Bylaws-2016-3C.doc

ACKNOWLEDGEMENTS

Field name Field value



applicant acknowledges that all all contacts have reviewed the City subdivision ordinance and the Plan for a Citywide System of Neighborhood Councils and that this petition is accurate and meets the conditions of certification, including the financial and ethical responsibilities of the Neighborhood Council system.

Your Name

General Jeff

Your Email Address

issuesandsolutions@yahoo.com

Your Phone Number

+13234450723

Docs Blog TOS About Contact Careers Privacy Twitter Facebook

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Petition summary and background	The City of Los Angeles' Department of Neighborhood Empowerment (DONE) requires the signatures of at least 200, but no more than 500 Stakeholders in the neighborhood of Skid Row, downtown Los Angeles to turn in an Angeles	
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Petition summary and	The City of Los Angeles' Department of Neighborhood Empowerment (DONE) requires the signatures of at least 200, but
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Action petitioned for	We, the undersigned, are concerned citizens of the City of Los Angeles and Skid Row Stakeholders who support the effort
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Petition summary and background Action petitioned for	The City of Los Angeles' Depart no more than 500 Stakeholders We, the undersigned, are conce to form a Skid Row Neighborhox	The City of Los Angeles' Department of Neighborhood Empowerment (DONE) requires the signatures of at least 200, but no more than 500 Stakeholders in the neighborhood of Skid Row, downtown Los Angeles to turn in an Application. We, the undersigned, are concerned citizens of the City of Los Angeles and Skid Row Stakeholders who support the effort to form a Skid Row Neighborhood Council. THAT ULL SUBSIVIES FROM DLAN C.	ment of Neighborhood Empowerment (DONE) requires the signatures of at least 20 in the neighborhood of Skid Row, downtown Los Angeles to turn in an Application. The citizens of the City of Los Angeles and Skid Row Stakeholders who support the Council. THAT UIL SURDIVIDE FROM DLANC.	ust 200, but tion. ort the effort	
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Petition to Form a Skid Row Neighborhood Council

We, the undersigned, are concerned citizens of the City of Los Angeles and Skid Row Stakeholders who support the effort The City of Los Angeles' Department of Neighborhood Empowerment (DONE) requires the signatures of at least 200, but no more than 500 Stakeholders in the neighborhood of Skid Row, Downtown Los Angeles to turn in a Subdivision to form a Skid Row Neighborhood Council (SRNC) which would be subdivided from the Downtown Los Angeles Neighborhood Council (DLANC). **Petition summary** Action petitioned and background for

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SKID ROW NEIGHBORHOOD COUNCIL

FORMATION COMMITTEE

Skid Row "Resident's ONLY" Meeting

WHEN: June 3rd, 2015

WHERE: At "The Spot" 537 s. Stanford

(Between 5th and 6th on Stanford)

TIME: 6:30 pm (Sharp!) - 9:00 pm

TOPICS: Update on current status of SRNC, Expectations and Responsibilities of potential Board members, Understanding the structure of a SRNC, "Subdivision" and More!

(This is NOT a discussion about issues n Skid Row!)



December 22, 2015-6pm - 9:30pm

James Wood Community Center (400 east 5th street in Skid Row)

- 1. Call to Order/Introduction-6pm (SHARP!)
- 2. SRNC-Formation Committee Chair's report
- 3. SPECIAL INVITED PRESENTATION: Estela Lopez and Greg Fischer have been invited to present the "Efficient City Apartments" project to the Skid Row community (Known in Skid Row as the Salvation Army buildings- Harbor Light and Safe Harbor) (followed by discussion and SRNC-FC vote)
- 5. Update on Subdivision Process- (Council File 12-1681)

https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=12-1681

(NOTE: FYI- Skid Row NC-FC's first documented public comment about subdivision to the LA City Council- 2/17/2015 - during City's Education and Neighborhoods Committee meeting on that date)

- 6. Boundaries (First-ever discussion on possible boundaries for SRNC)
- 7. Update on Overall Process and Remaining Process
- 8. Next Steps
- 9. Open Discussion (2-minute maximum limit per speaker)
- 10. Adjournment



January 25, 2016 6pm-9:30pm

James Wood Community Center (400 e. 5th street in Skid Row)

SRNC-FC Chair- General Jeff

- 1. Call to Order/Request for Civility (6pm SHARP!)
- 2. SRNC-FC Chair's Report
 - A. Update on SRNC-FC Logo Change
 - B. Update on "Efficient City Apartments" Letter of Determination
- 3. Follow-up discussion to last month's meeting
- 4. The Actual Neighborhood Council Application
- 5. Boundary Discussion- 1st official determination (For SRNC application)

- 6. Examples of how SRNC can be used as a collective voice/filter;
 - A. Rec and Parks' Skid Row Open Space Vision Plan
 - B. Our Skid Row
 - C. Both City and County "Comprehensive Strategic Homeless Plans"
- 7. Discussion- SRNC Board Seats
 - A. How many Board seats?
 - B. Board seat representations (Example: Skid Row Resident, Skid Row Non-Profit, Skid Row Business, Other?)
- 8. SRNC Homework
 - A. Brown Act
 - B. Robert's Rules of Order
 - C. SRNC By-Laws
 - D. City Hall Structure
 - E. Levels of Government
- 9. Open Discussion
- 10. Adjournment

REMINDER: SRNC-FC Theme Song"We Can Work It Out" by Stevie Wonder
https://www.youtube.com/watch?v=cl3dN1L1XQE

Listen to the words!



March 16, 2016 6pm-9:30pm

James Wood Community Center (400 e. 5th street in Skid Row)

SRNC-FC Chair: General Jeff

- 1. Call to Order/Request for Civility (6pm SHARP!)
- 2. SRNC-FC Chair's Report
 - A. Countdown to October/2016
 - B. Update on SRNC "Non-Profit" Board members' Inclusion/Outreach efforts
- 3. Update on SRNC By-laws Meetings
- 4. Follow-up Discussion to our last meeting
 - A. The Actual Neighborhood Council Application
 - B. Remaining Steps
- 5. EXTENSIVE Discussion- SRNC Board Seats

- A. Example: How many Total Board Seats in the SRNC?
- B. What will the Board Seat Representations be? (Example: Skid Row Resident, Skid Row Non-Profit, Skid Row Business Rep, Other?)
- 6. SRNC Homework
 - A. Brown Act
 - B. Robert's Rules of Order
- 7. Open Discussion
- 8. Adjournment

REMINDER: SRNC-FC Theme Song"We Can Work It Out" by Stevie Wonder
https://www.youtube.com/watch?v=cl3dN1L1XQE

Listen to the words!



Sunday, June 26, 2016 6pm- 9:30pm

NEW LOCATION: Catch 21 Seafood Restaurant
441 south Central Avenue, in Skid Row
(northwest corner of 5th and Central)
Ample parking available in parking lot
NOTE:...Meeting will be on outside patio- Dress warm
and/or bring a blanket...May get cold after sun goes down

SRNC-FC Chair: General Jeff

- 1. Call to Order/Request for Civility- (6pm SHARP!)
- 2. SRNC-FC Chair's Report- (Various Topics)
- 3. Update on 'Efficient City Apartments' project (Salvation Army buildings)
- 4. Update on Downtown Los Angeles Neighborhood Council (DLANC) elections- (as it relates to SRNC)

- 5. Presentation by Silvia Hernandez (Community Stakeholder)- "The Importance of Having a Skid Row NC"
- 6. Presentation by By-laws Subcommittee- Possible action
- 7. Review of the actual Neighborhood Council certification application- (Soon to be revised by DONE/Empower LA)
- 8. Remaining Steps- Discussion Only
 - A. Collection of Signatures
 - B. Outreach
- 9. SRNC Homework- (For those new to politics)
 - A. Brown Act
 - B. Robert's Rules of Order
- 10. Open Discussion/ Public Comments- (Time allotted to each speaker based on Chair's determination at that time, but announced as two minutes per speaker)
- 11. Adjournment

REMINDER: SRNC-FC Theme Song-"We Can Work It Out" by Stevie Wonder

https://www.youtube.com/watch?v=cl3dN1L1XQE

Listen to the words of this song!



Saturday, July 30, 2016 6pm- 9:30pm

NEW LOCATION: Catch 21 Seafood Restaurant
441 south Central Avenue, in Skid Row
(northwest corner of 5th and Central)
Ample parking available in parking lot
NOTE:...Meeting will be on outside patio- Dress warm
and/or bring a blanket...May get cold after sun goes down

SRNC-FC Chair: General Jeff

- 1. Call to Order/Request for Civility- (6pm SHARP!)
- 2. SRNC-FC Chair's Report- (Various Topics)
- 3. Update on 'Efficient City Apartments' project (Salvation Army buildings)
- 4. Presentation by By-laws Subcommittee- Possible action(s)

- Review of the actual Neighborhood Council certification application- (Possibly soon to be revised by DONE/Empower LA)
- 6. Remaining Steps- Discussion Only
 - A. Collection of Signatures
 - B. Outreach Strategies
- 7. SRNC Homework- (For those new to politics)
 - A. Brown Act
 - B. Robert's Rules of Order
- 8. Open Discussion/ Public Comments- (Time allotted to each speaker based on Chair's determination at that time, but announced as two minutes per speaker)
- 9. Adjournment

REMINDER: SRNC-FC Theme Song-"We Can Work It Out" by Stevie Wonder

https://www.youtube.com/watch?v=cl3dN1L1XQE

Listen to the words of this song!

(SKID ROW NEIGHBROHOOD COUNCIL FORMATION) Bylaws Meeting Agenda

Wednesday, August 3, 2016 6:30pm-8pm UCEPP

(800 E. 6th St., Los Angeles, CA 90021) Bylaws Chair: Deacon Alexander

- 1. Call to Order/ Request for Civility- (6:30pm)
- 2. Discuss & confirm date for final Bylaws meeting (if needed)
 (All below "Sections" to be read aloud, then voted on as written or adjusted as needed)

(FINANCES Section) Past Bylaws meetings had concluded to make no changes to the City's template in this section

ARTICLE IX FINANCES

[there should be no mention of checking accounts or petty cash in this article]

- A. The Board shall review its fiscal budget and make adjustments as needed to comply with City laws and City administrative rules, and to keep in compliance with Generally Accepted Accounting Principles and the City's mandate for the use of standardized budget and minimum finding allocation requirements.
- B. The Board shall adhere to all rules and regulations promulgated by appropriate City officials regarding the Council's finances, where the term "appropriate City officials" means those officials and/or agencies of the City of Los Angeles who have authority over Neighborhood Councils.
- C. All financial accounts and records shall be available for public inspection and posted on the Council website, if available.
- D. Each month, the Treasurer shall provide to the Board detailed reports of the Council's accounts.
- E. At least once each quarter, the President and at least one (1) other individual other than the Treasurer, who is designated by the Board, shall examine the Council's accounts and attest to their accuracy before submitting the documentation to the Department for further review.

*** (ELECTIONS Section) Past Bylaws meetings had concluded to add the language in "grey" and to delete what is slashed in the City's template***



Agenda

EMERGENCY

Bylaws Meeting

Thursday, August 18, 2016 6:30-7:30pm In front of Gladys Park on the Public sidewalk (Corner of 6th & Gladys St. LA, CA 90021) Bylaws Chair: Deacon Alexander

- 1. Call to Order/ Request for Civility- (6:30pm)
- 2. Appoint General Jeff as the Founder and Emeritus of the Skid Row Neighborhood Council.
- Presentation of new City language regarding the Neighborhood Council Subdivision process. (Section 22.819) See attachment. Link here: http://clkrep.lacity.org/onlinedocs/2012/12-1681 misc 08-12-2016.pdf
- 4. Open Discussion/ Public Comments- (Time allotted to each speaker based on Chair's determination at that time, but announced as two minutes per speaker)
- 5. Adjournment



SRNC-FC Outreach Subcommittee Agenda

Wednesday, August 17th, 2016 6:30pm-8pm 800 E. 6th St., Los Angeles, CA 90021 (6th and Stanford)

> Co-Chair: Katherine McNenny Co-Chair: General Jeff

- 1. Call to Order/ Request for Civility- (6:30pm SHARP!)
- 2. Purpose
- 3. Structure
- 4. Timeline
- 5. Strategy
- 6. Co-Chair discussion
- 7. Adjournment



December 30, 2015

Los Angeles Department of City Planning Office of Zoning Administration, 7th Floor 200 North Spring Street Los Angeles, California 90012

RE: ZA-2015-2843-ZAA
Efficient City Apartments
813 East 5th Street
Los Angeles, California 90013
Daryoush Dayan- Property Owner
Applicant: 813 East 5th Street, LLC

Dear Zoning Administrator,

This letter is to inform you that the Skid Row Neighborhood Council-Formation Committee had the above proposed adaptive reuse housing project in Skid Row on it's December 22, 2015 meeting agenda, during which a vote was taken.

It should be noted that while the applicant/owner/representatives were invited to present to us and were involved in several communiqué beforehand, none of these individuals and/or representatives attended our community meeting, yet during the previous two months were able to present several times to other communities outside of Skid Row (Little Tokyo, Greater Downtown Los Angeles)

In a unanimous vote, it was determined that we strongly DO NOT support this project.

We are also prepared to attend any and all public meetings at City Hall to officially state our opposition in mass.

Thank you for your consideration of our position.

Regards,

General Jeff Chair-Skid Row Neighborhood Council-Formation Committee

cc: Michael LoGrande (DCP)

Patricia Diefenderfer (DCP)

Bryan Eck (DCP)

Nicolas Maricich (DCP)

Captain Mike Oreb (LAPD)

Captain Donald Graham (LAPD)

Jose Huizar (CD14)

Martin Schlageter (CD14)

Gracye Liu (DONE)

Mike Fong (DONE)

Greg Fischer (LA1781, Inc) (813 east 5th street, LLC)

Estela Lopez (Kindel Gagan)

Daryoush Dayan (Property Owner)



Parks, Environment, Health & Wellness Subcommittee



November 15, 2016

Nicholas J. Karno
Deputy City Attorney
Environmental Justice Unit
Illegal Dumping Task Force
City Attorney's Office
200 N. Main St., CHE, 5th Floor
Los Angeles, CA 90012

Mr. Karno,

Thank you so much for taking time to update us on the status of the City's Illegal Dumping Task Force as it pertains to Skid Row. This follows a previous meeting with members of our Parks, Environment, Health & Wellness Subcommittee on Sept. 15th, 2016, in which we discussed the ongoing issue of illegal dumping in and around the Toy District section of Skid Row in Downtown Los Angeles.

In addition to the Toy District, as a Subcommittee we also have concerns about illegal dumping in other parts of Skid Row.

We look forward to sharing this information with you and also receiving more updates of your progress in the near future.

Sincerely,

General Jeff

Chair- Skid Row Neighborhood Council- Formation Committee

Co-chair- SRNC-FC,

Parks, Environment, Health & Wellness Subcommittee

Katherine McNenny

Co-chair- SRNC-FC,

Parks, Environment, Health & Wellness Subcommittee

Industrial District Green Central Ave. Community Tree-Planting Saturday Oct. 15th 2016

Where: Triangle Plaza @ 627 S. Central Ave.

Los Angeles, CA 90021

Sign-in: 9:00am

Planting: 9:30-am to noon

Bring: Water bottle & coffee mug

Email: info@industrialdistrictgreen.org

Call: Gabrielle at 213) 293-1425

Parking: Free on Wilde & Kohler/metered on 6th

Snacks, coffee & water provided

Light rain or shine, we plant!













Zero Waste

Skid Row Movies in the Park

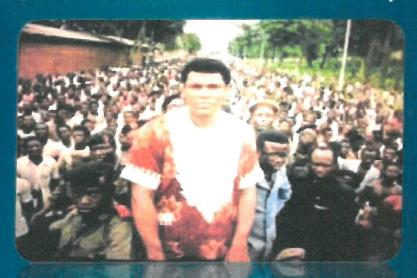


Honoring the life and legend of Muhammad Ali

Featuring

WHEN WE WERE KINGS

A documentary on the 1974 Ali-Foreman Fight on the African Continent (Zaire-now Democratic Republic of Congo)



TUESDAY, AUGUST 2, 2016 GLADYS PARK, 6TH & GLADYS

7:00 PM Gates open

7:30 PM Poetic Tribute

8:00 PM Movies Begins (when dark enough)

Park Closes 15 mins after ending of film

Community Sponsors: Skid Row Street Ball League, SRNC Formation Committee, UCEPP, Skid Row Community Coalition

SHUL-TU COMMUNITY MECHNU 12/20/

NAME	CONTACT INFO	SKO ROW
Demetra LOIKSONI	909-520-7733 Wilsondemeter 15 Openail	YES/NO
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Valter Fears III	Wreaksendmail com	PT-225 XES
ROBERT PairiP	512 SINVAIN STO A	
FRUST OBERMANA	213-805-1674 annm, 11095@gmail.com	Koreatown Koreatown
EMIST OBERMAYA	818 984 2986	you
Liliana Ortiz	lillyortizayahoo.com get planted. native @gmai	1.com yes
Matthew Horns Orvins Rogers	(213) 804 - 0686	,
Gary Boaturiy MA BRIAN BEASTEY		yes
Wendell Blass vgano	Wendell Bx 1@ Net zero, Com 213-9083590	yes

19/92/15 SIGN PRINT James Haletter Wendell Blassingame JAMES HANTHONE BRAN BEASET Brian Beasley Louise Mbella Louis Mela Suzette Shaw Swetter TOM GRODE Tow Block manuel Compita MANUEL Compito Cup Demotul Delison DemetraCollSON Both Brok Monthew Harns Lileana Orts Bossy Ruck Anartin Hand Liliana Ortiz FRAST OBERMAYY Ernst Obermayr DAUTO ROGERS Dif log Dary Boateryth Gary Boatwright Theresa Hwang Thurtney GWERDOKKU SOTT Swendow Scett Lege Mayor Charles Porter Zelenne L. Cardenas Mynel Key Kevin Michael Key SANFORD BRYANT Sarford Bryant

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	SKD PON NC-FORMATION COMHECT
	NONE CONTACT SYSTEMS ROW RESIDENT
	1. Surelle Shaw 313,840. Yes
	2 / 10 M Grode 909-368-8384 14es 3. Eddif Howard (805)930-7940 Yes
	Olvia Hernández (323) 4806901 NO
,	MICHAEL MATER (310)7218930 NO KATHERINE WICHENNY 310)941-3595 YUS Vonne Michelle Att RV 213-806-1674 (No Spring Charles Porter 313,440,4891 (No
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SHB RW CONTACT INFO NAME 765 NO Katherine. Trees @ KATHORINE Nes Jahn. Com MCHENNY manof the scatom @ Tom GRODE yes gmail.com WATNE WATKINS gwayne watkins egmailiren Yes- skidrow Lawrence Med. Son Igsla 3660 Gnail Com

SRNL-FC SIGN-IN SHEET

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SRNC-FC OUTREACH 51GN-IN SHEET

8/17/206

Home	1	CONTACT INFO	SHOPEN NO
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ann w	rccall	annu 11095@gmail.com	n Yos!!
Michigael	Vecelio	Michael Vecchio @gm	ail.com Yes
Angelia	Harper	angiz charper 8022 a	
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CRAIG ROBERS	7	213-689-9834	768
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Andreen T 3238104932 and. Leodovescu @ bonne Michelle Hute/ 213-805-1674/ micheleliverike eyahoo-Bobby Buck / 213-293-7983/ buckabobby buck com

SKID ROW NEIGHBORHOOD COUNCIL BYLAWS -2016-

DRAFT

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ATTACHMENT A – Map of Neighborhood Council

ATTACHMENT B - Governing Board Structure and Voting

ARTICLE I NAME

The name of this Neighborhood Council shall be the Skid Row Neighborhood Council ("Council"). The identifying acronym of said council shall be the SRNC.

ARTICLE II PURPOSE

<u>Principles of Governance</u> - The purpose of the Council is to participate as an advisory body on issues concerning our neighborhood and regarding the governance of the City of Los Angeles ("City") in a transparent, inclusive, collaborative, accountable and viable manner.

A. The MISSION of the Council is:

- To provide an inclusive and open forum for public discussion of issues of interest to the Council, including City governance, the needs of the Council, the delivery of City services to the Council area, and other matters of a Citywide nature;
- 2. To advise the City on issues of interest to Skid Row, including City governance, the needs of the Council, the delivery of City services to the Council area, and other matters of a Citywide nature;
- 3. To initiate, execute and support projects for the physical, social and cultural improvement of Skid Row; and
- 4. To facilitate communication between the City and Community Stakeholders on issues of concern to the community and/or the Stakeholders.
- 5. To create a platform for the empowered voice of traditionally disenfranchised residents of Skid Row.

B. The **POLICY** of the Council is:

- 1. To respect the diversity, dignity, and expression of views of all individuals, groups, and organizations within the community and/or involved in the Council;
- 2. To remain non-partisan with respect to political party affiliation and inclusive in our operations including, but not limited to, the process of electing or selecting the Board of Directors, Officers, and committee members, as hereinafter set forth:
- To utilize the Early Notification System (ENS) to inform the Council and Community Stakeholders of matters involving the City and our community in a way that is tailored to provide opportunities for involvement in the decisionmaking process;
- 4. To encourage all Stakeholders to participate in activities of the Council;
- 5. To prohibit discrimination against any individual or group in our operations on the basis of race, religion, color, creed, national origin, ancestry, sex, sexual orientation, age, disability, marital status, income, homeowner/renter status, or political affiliation; and
- 6. To have fair, open, and transparent procedures for the conduct of all Council business.

ARTICLE III BOUNDARIES

The Council covers a geographic area described below.

Section 1: Boundary Description - The boundaries abut the boundaries of adjacent Neighborhood Councils and include those areas of the City within the following lines of demarcation:

- 1. North 3rd Street- (From Main Street to Alameda Street);
- 2. East Alameda Street- (From 3rd Street to 7th Street);

- 3. **South** 7th Street- (From Alameda Street to Main Street);
- 4. West Main Street- (From 7th Street to 3rd Street).

The boundaries of the Council are set forth in this document in "Attachment A- Map of the Skid Row Neighborhood Council".

Section 2: Internal Boundaries - Not applicable.

ARTICLE IV STAKEHOLDER

Neighborhood Council membership is open to all Stakeholders. "Stakeholders" shall be defined as those who live, work, or own real property in the neighborhood and also to those who declare a stake in the neighborhood as a community interest stakeholder, which is defined as a person who affirms a substantial and ongoing participation within the Neighborhood Council's boundaries and who may be in a community organization such as, but not limited to, educational, non-profit and/or religious organizations.

ARTICLE V GOVERNING BOARD

The Board of Directors (hereinafter "the Board") shall be the Governing Body of the Council within the meaning of that term as set forth in the Plan for a Citywide System of Neighborhood Councils ("the Plan").

Section 1: Composition - The Board shall consist of eleven (11) Stakeholders elected, selected or appointed by the Board. The composition of the Board shall be as follows:

*Resident Definition – Anyone who lives within Skid Row boundaries.

1. **Resident Board Member (5)** – Open to Stakeholders at least 18 years of age. Not open to employees of housing/shelter providers. 3 resident seats shall be reserved for low-income and/or homeless individuals. The two remaining seats shall be open to any resident within our boundaries.

- 2. **Business Board Member (1)** -- Open to Stakeholders at least 18 years of age. Must own a business (not non-profit) or work for a business within Skid Row boundaries.
- 3. Arts & Culture Board Member (1) -- Open to Stakeholders at least 18 years of age. Must produce art and/or cultural material within Skid Row boundaries or with the participation of Skid Row residents.
- 4. **At-Large Board Member (1)** -- Open to Stakeholders at least 18 years of age. Must self-affirm a connection to the Skid Row community.
- 5. Social Service Provider/Faith-Based Board Member (2) -- Open to Stakeholders at least 18 years of age. Must work for a non-profit social service provider within our boundaries or must provide a faith-based service within our boundaries.
- 6. Community Advocate/Social Justice Board Member (1) -- Open to Stakeholders at least 18 years of age. Must actively and publicly engage in social issues pertinent to our community.

No single Stakeholder group shall hold a majority of Board seats unless extenuating circumstances exist and are approved by the Department of Neighborhood Empowerment ("Department").

Section 2: Quorum - The quorum shall be [6] members of the Board. No floating quorums are allowed.

Section 3: Official Actions - A simple majority vote by the Board members present, not including abstentions, at a meeting in which there is a quorum shall be required to take official action, unless specified otherwise in these Bylaws.

Section 4: Terms and Term Limits - Board members shall serve; one Two (2) year term commencing after being seated. There will be a maximum of Four (4) consecutive terms. After which, at least one-year must past before previous Board member can run for election again.

Section 5: Duties and Powers - The primary duties of the Board shall be to govern the Council and to carry out its objectives. No individual member of the Board shall speak for the Board or otherwise publicly represent a Board position. The President shall be the only Board Member who is authorized to speak on behalf of the Board and shall be considered the chief representative of the Skid Row Neighborhood Council.

Section 6: Vacancies – Vacancies on the Board shall be filled using the following procedure:

President Fills Vacancies, with Board Approval

A vacancy on the Board shall be filled by a Stakeholder who satisfies the eligibility requirements for holding the vacated Board seat. The President shall have the discretion to appoint the vacancy from any applicants or among any other qualified Stakeholders at any time, subject to a majority vote of the Board at a public meeting. The appointed applicant's term shall be limited to the term for the vacated seat.

Section 7: Absences - Any Board member who misses [3] regularly scheduled consecutive Neighborhood Council Governing Board meetings during any twelve (12) month period will be automatically removed from the Board. If (3) consecutive meetings are missed, this shall be considered a resignation. Additionally, any Board member who leaves a Board meeting before votes are taken on all items on the agenda (3) times during their term will be automatically removed from the Board. Each Board member absence shall be recorded in the Council's meeting minutes or other manner of Council record keeping, and that, upon missing the qualifying number of Board meetings for removal, the President shall provide official notice to that Board member that their seat has been declared vacant. Any meeting of the full Skid Row Neighborhood Council Advisory Board, scheduled and noticed as per the Brown Act, shall constitute an official meeting for the purpose of determining Board member attendance.

Section 8: Censure - The Council can take action to publically reprimand a Board member for actions conducted in the course of Council business by censuring the Board member at a Council Board meeting. Censures shall be placed on the agenda for discussion and action.

Section 9: Removal of Governing Board Members – The Council shall consult with the Office of the City Attorney throughout any Board removal process. Board members may be removed in the following ways:

- 1. **Petition by Stakeholders** A Board member may be removed from office by the submission of a written petition to the Secretary, which includes; i) the identity of the Board member to be removed, ii) a description, in detail, of the reason for removal, and iii) the valid signatures of fifty (50) Stakeholders (50% of said signatures must be from Stakeholders who can be identified as that seat's constituency).
 - A) Upon receipt of a written petition for removal, the Secretary shall cause the matter to be placed on the agenda for a vote of the Board at the next regular Council meeting.
 - B) Removal of the identified Board member requires a two-thirds (2/3) majority of the attending Board members.
 - C) The Board member who is the subject of the removal action shall have the right to deliver to Board members a written statement about the matter and/or to speak at the Board meeting prior to the vote, but shall not be counted as part of the quorum, nor allowed to vote on the matter.
- 2. **Petition by Board** A Board member may be removed from the Board for good cause, including, but not limited to, disruptive conduct; interfering with Council business; violations of the Bylaws, Operating Procedures or Code of Conduct following a Board member's submission to the Board of a petition which includes: i) The identity of the Board member to be removed, ii) States the reason for removal by identifying the violation of the internal rules or procedures and specifies the conduct of the person, and iii) Contains the signatures of a majority of the remaining Board members. The Board President will not have a vote in this matter.
 - A) The petition shall be delivered simultaneously to all Board members and the matter placed on the agenda and scheduled for a vote at the next regular Board meeting.
 - B) Removal of the identified Board member requires a two-thirds (2/3) majority.
 - C) The Board member who is the subject of the removal action shall have

the right to deliver to Board members a written statement about the matter and/or to speak at the Board meeting prior to the vote, but shall not be counted as part of the quorum, nor allowed to vote on the matter.

If the vote for removal is affirmative, the position shall be deemed vacant and filled via the Council's vacancy clause.

Section 10: Resignation - A Board member may resign from the Council, and the position shall then be deemed vacant. Any member of the Board who ceases to be a Stakeholder eligible for that seat is required to immediately submit his or her resignation to the Board for discussion and action at the next Board meeting. Removal of a Board member no longer eligible for their seat requires a majority of the attending Board members at the Board meeting acting on this matter.

Section 11: Community Outreach - The Council shall direct that a system of outreach be instituted to inform Stakeholders as to the existence and activities of the Council, including its Board elections, to find future leaders of the Council, and to encourage all Stakeholders to seek leadership positions within the Council.

The Council shall maintain an online presence to disseminate information to Community Stakeholders and others interested in the Council.

In addition, the Board shall create, or shall cause to be created, a marketing plan to solicit participation from Stakeholders. The plan may include, for example, the creation of flyers, postcards, pamphlets and other related materials. It may also include e-mail blasts to various organizations including a regularly scheduled e-blast to local government officials and other local organizations as determined by the Board.

Outreach also should be undertaken at public events and shall be coordinated with other Neighborhood Councils when appropriate.

ARTICLE VI OFFICERS

Founder Emeritus: General Jeff is acknowledged to be the Founder Emeritus of the Skid Row Neighborhood Council and is authorized to speak on all issues affecting the SRNC, recognizing that the Executive Committee will have the final word on all policy issues and also recognizing that the Board President is the official spokesperson for the

Council.

Section 1: Officers of the Board - The officers of the Board ("Officers") shall include the following positions which all together comprise the Executive Committee: President, Vice President, Secretary, and Treasurer.

Section 2: Duties and Powers - The duties of the Officers are as follows and also include such additional duties as may be adopted by official action of the Board:

A) The President shall;

- 1. Be the Chairperson of the Board;
- 2. Be an ex-officio member of all committees;
- 3. Be a member of and Chair of the Executive Committee;
- 4. Appoint all committee Chairs.
- 5. Act as the spokesperson for the Council as an official representative to the public media, unless otherwise designated;
- 6. Be a signatory of all official communication for the rest of the Council, all bank notes and contracts;
- 7. Notify the Department of all necessary information of all new Board members, and carry out whatever other duties may be required by the Department.

B) The Vice President shall;

- 1. Serve in place of the President if the President is unable to serve;
- 2. Preside in absence of the President;
- 3. Be the Chairperson of the Elections Committee, and be a member and Vice-Chair of the Executive Committee;
- 4. Be the official timekeeper in all situations requiring time limitations.

C) The Secretary shall;

 Keep the minutes of all Board meetings. An Alternate Secretary may be appointed by the Board to serve in the absence of the Secretary, as needed. Unless the person serving as Alternate Secretary is already a Board member, he or she shall not have any of the rights of a Board member, including the right to vote on matters before the Board. Any Stakeholder can be appointed as Acting Secretary by the President in the absence of the Secretary but shall not be counted for purposes of quorum.

- 2. Be responsible to distribute minutes from Board meetings to all Board members no later than two (2) weeks after each Board meeting;
- 3. Be a member of the Executive Committee;
- 4. Act as President in the absence of the President and Vice-President.

D) The Treasurer shall;

- Maintain the records of the Council's finances and books of accounts and perform other duties in accordance with the Council's Financial Management Plan and the Department's policies and procedures;
- 2. Be responsible for all funds expended by the Skid Row Neighborhood Council;
- Receive, disburse and account for all Council funds on behalf of Board and give an updated account of Council finances at every regular Board meeting, or upon request of the President;
- 4. Act as President in the absence of the President, Vice-President and Secretary;
- 5. Serve on the Executive Committee;
- 6. Serve as Chair of the Budget & Finance Committee;
- 7. Be a signatory to all bank notes.

Section 3: Selection of Officers -

Officer positions shall be filled every two [2] years at the first official Board meeting following their election or selection in Board election years, and at the subsequent one (1) year anniversary mark of the Officers' election in Board non-election years.

Section 4: Officer Terms - The Officers shall serve Two (2) year terms and serve at the pleasure of the Board. They may stand for reelection annually.

ARTICLE VII COMMITTEES AND THEIR DUTIES

All Standing and Ad Hoc Committees shall be appointed by the President & ratified by the Board. Suggestions for committees and committee members may come from Stakeholders or from members of the Board, and all such suggestions shall be voted upon by the Board.

Section 1: Standing Committees – The Standing Committees of the Council are;

- 1.) Executive Committee
- 2.) Budget and Finance Committee
- 3.) Outreach and Communications Committee
- 4.) Planning and Land Use Committee
- 5.) Community Issues and Concerns Committee
- 6.) Parks, Environment, Health & Wellness Committee
- 7.) Community Development Committee

Section 2: Ad Hoc Committees – The Board may create Ad Hoc Committees as needed to deal with temporary issues, such as Council elections, Bylaws, specific community-affecting issues, etc.

Section 3: Committee Creation and Authorization

- a. **Committee Authority** All committee recommendations shall be brought back to the full Board for discussion and action.
- b. Committee Structure With the exception of the Executive Committee, Committee Chairs, who must be Stakeholders, shall be appointed by the President and ratified by the Board. Standing Committees shall be comprised of at least three (3) Stakeholders, one of which shall be a Board member. Ad Hoc Committees shall be comprised of at least two (2) Stakeholders, one of which shall be a Board member. Chairs of Committees do not need to be Board Members. There shall be no more than nine (9) Committee Members for each committee (Applies to both Standing and Ad Hoc Committees).

- c. **Committee Appointment** All Committee Chairs shall be appointed by the President and confirmed by the Board. The Chairs shall keep a written record of Committee meetings and shall provide regular reports on Committee matters to the Board on a monthly basis.
- d. **Committee Meetings** Committee meetings are subject to and shall be conducted in accordance with the Brown Act. Minutes shall be taken at every Committee meeting.
- e. **Changes to Committees** The Board may establish, disband or make changes as needed to any Standing or Ad Hoc committee. Any such action by the Board shall be noted in the Council meeting minutes.
- f. **Appointment and Removal of Committee Members** Committee members are appointed by the President of the Council. They may be removed by a majority vote of Committee members and are subject to the same rules of civility as the Board.

ARTICLE VIII MEETINGS

All meetings, as defined by the Ralph M. Brown Act (*California Government Code Section 54950.5 et seq.*), shall be noticed and conducted in accordance with the Act and all other applicable laws and governmental policy.

- **Section 1: Meeting Time and Place -** All meetings shall be held within the Council boundaries at a location, date and time set by the President. A calendar of regular meetings shall be established by the Board at its first regular meeting of each calendar year.
 - a. **Regular Meetings** Regular Council meetings shall be once per month. Prior to any action by the Board, there shall be a period of public comment. The Board shall determine the length and format of the public comment period, as appropriate and accommodating as possible.
 - b. **Special Meetings** The President or a majority of the Board shall be allowed to call a Special Council Meeting as needed.

Section 2: Agenda Setting -

The Executive Committee shall set the agenda for each Council meeting at the Executive Committee meeting. Executive Committee meetings must happen prior to 72-hour Brown Act agenda posting requirement.

Any Stakeholder can make a proposal for action by the Council by submitting a written request to the Executive Committee to include on the agenda at the next regular Council meeting. The Board shall either consider the proposal or create an Ad Hoc Committee to consider the proposal. The Council is required to consider the proposal at a Committee or Board meeting, but is not required to take further action on the proposal. Proposals made under this subsection are subject to the rules regarding reconsideration

Section 3: Notifications/Postings – Notice of a regular meeting-shall be posted a minimum of three (3) days (72 hours) in advance of the meeting and at least one (1) day (24 hours) in advance of a special meeting. At a minimum, notice shall be posted at the Council's five (5) Public Notice Locations specified on the Posting Location Form filed with the Department, on its website (if applicable) and emailed out to Stakeholders if the Council maintains such a database. Regular and Special meeting agendas shall also be emailed to the Department.

Section 4: Reconsideration

The Board may reconsider or amend its actions through a Motion for Reconsideration process defined in its standing rules. (Standing Rules for the SRNC will be created in a separate document)

ARTICLE IX FINANCES

A. The Board shall review its fiscal budget and make adjustments as needed to comply with City laws and City administrative rules, and to keep in compliance with Generally Accepted Accounting Principles and the City's mandate for the use of standardized budget and minimum funding allocation requirements.

- B. The Board shall adhere to all rules and regulations promulgated by appropriate City officials regarding the Council's finances, where the term "appropriate City officials" means those officials and/or agencies of the City of Los Angeles who have authority over Neighborhood Councils.
- C. All financial accounts and records shall be available for public inspection and posted on the Council website, if available.
- D. Each month, the Treasurer shall provide to the Board detailed reports of the Council's accounts.
- E. At least once each quarter, the President and at least one (1) other individual other than the Treasurer, who is designated by the Board, shall examine the Council's accounts and attest to their accuracy before submitting the documentation to the Department for further review.
- F. The Council will not enter into any contracts or agreements except through the Department.

ARTICLE X ELECTIONS

- **Section 1: Administration of Election** The Neighborhood Council's election will be conducted pursuant to any and all City ordinances, policies and procedures pertaining to Neighborhood Council elections.
- **Section 2: Governing Board Structure and Voting** The number of Board seats, the eligibility requirements for holding any specific Board seats, and which Stakeholders may vote for the Board seats are noted in "Attachment B- Governing Board Structure and Voting".
- **Section 3: Minimum Voting Age** All Community Stakeholders aged 13 and above shall be entitled to vote in the Skid Row Neighborhood Council elections.
- **Section 4: Method of Verifying Stakeholder Status-** Voters will verify their Stakeholder status through written self-affirmation.
- Section 5: Restrictions on Candidates Running for Multiple Seats- A candidate shall declare their candidacy for no more than one (1) position on the Council Board during a

single election cycle.

Section 6: Other Election-Related Language- All eligible candidates must submit a minimum 100-word statement of why they believe they should serve as a member of the Council.

ARTICLE XI GRIEVANCE PROCESS

- A. Any grievance by a Stakeholder must be submitted in writing to the President who shall cause the matter to be placed on the agenda for the next regular Council meeting. As an alternative, any grievance may be verbalized and/or submitted in writing to the Board during the Public Comment period of a Board Meeting.
- B. At that meeting, the Board shall refer the matter to an Ad Hoc Grievance Panel comprised of three (3) Stakeholders randomly selected by the Board from a list of Stakeholders who have expressed an interest in serving from time-to-time on such a panel.
- C. Within two (2) weeks of the panel's selection, the Board shall coordinate a time and place for the panel to meet with the person(s) submitting a grievance to discuss ways in which the dispute may be resolved.
- D. Within two (2) weeks following such meeting, a member of the panel shall prepare a written report to be forwarded by the Secretary to the Board outlining the panel's collective recommendations for resolving the grievance. The Board may receive a copy of the panel's report and recommendations prior to a Board meeting, but, in accordance with the Brown Act, the matter shall not be discussed among the Board members until it is heard publicly at the next regular Council meeting.
- E. This grievance process is intended to address matters involving procedural disputes, such as the Board's failure to comply with Board Rules or these Bylaws. It is not intended to apply to Stakeholders who merely disagree with a position or action taken by the Board at one of its meetings, which grievances may be aired publicly at Council meetings.
- F. Board members are not permitted to file a grievance against another Board member or against the Council.

ARTICLE XII PARLIAMENTARY AUTHORITY

The Council shall use the:

Robert's Rules of Order when conducting Council meetings.

Additional rules and/or policies and procedures regarding the conduct of the Board and/or Council meetings may be developed and adopted by the Board, and subjected to approval by the Department prior to implementation.

ARTICLE XIII AMENDMENTS

A. Any Board member may propose an amendment to these Bylaws by requesting that the Secretary place the item on the next regular Council agenda.

- B. Any Stakeholder may propose an amendment to these Bylaws during the public comment period of a regular Council meeting.
- C. Any proposal to amend the Bylaws shall be formalized in writing, given to the President, and noticed on the agenda for public discussion and Board vote at the next regular Council meeting.
- D. An amendment to these bylaws requires a two-thirds (2/3) vote of the Board members present at a duly noticed general or special meeting. All changes shall then be forwarded to the Department for review and approval.
- E. Amendments shall not be valid, final or effective until approved by the Department. Once approved, any changes in the Bylaws shall become effective immediately.

ARTICLE XIV COMPLIANCE

The Council, its representatives, and all Community Stakeholders shall comply with these Bylaws and with any additional Standing Rules or Procedures as may be adopted by the Board of Directors as well as all local, county, state and federal laws, including, without limitation, the Plan for a Citywide System of Government (hereinafter referred

to as "the Plan"), the City Code of Conduct, the City Governmental Ethics Ordinance (Los Angeles Municipal Code Section 49.5.1), the Brown Act (California Government Code Section 54950.5 et seq.), the Public Records Act, the American Disabilities Act, and all laws and governmental policies pertaining to Conflicts of Interest.

Section 1: Code of Civility – The Council, its representatives, and all Community Stakeholders shall conduct all Council business in a civil, professional and respectful manner at all times during any and all official Board and/or Committee meetings.

Section 2: Training – All Board members shall take training in the fundamentals of Neighborhood Council, including, but not limited to, ethics, funding, workplace violence and sexual harassment trainings provided by the City within forty-five (45) days of being seated, or they will lose their Council voting rights.

Section 3: Self-Assessment – Every year, the Council shall conduct a self-assessment pursuant to Article VI, Section 1 of the Plan.

ATTACHMENT A

Map of Skid Row Neighborhood Council



Los Angeles City Council: 14th District

Fire Station #9: 430 East 7th Street, Los Angeles, CA 90014 (outside of boundaries, but commonly known as Skid Row's Fire Station)

Fire Station #23 (inactive): 225 East 5th Street, Los Angeles, CA 90013 (In 1966, this station was declared a Historic Cultural Monument by the Los Angeles Cultural Heritage Commission. It was added to the <u>National Register of Historic Places</u> in 1980)

LAPD Central Division Police Station: 251 East 6th Street, Los Angeles, CA 90014

San Julian Park: 312 East 5th Street, Los Angeles, CA 90013 **Gladys Park:** 808 East 6th Street, Los Angeles, CA 90021

DWP Building: 560 South Wall Street, Los Angeles, CA 90013

Department of Mental Health: 529 South Maple Avenue, Los Angeles, CA 90013

ATTACHMENT B

Governing Board Structure and Voting - 11 Board Seats

President, Vice President	Selected	Stakeholder who is at least 18 years of age at the time of the selection.	Not self-affirmed Stakeholder
Secretary	Selected		Not self-affirmed Stakeholder
Treasurer	Selected		Not self-affirmed Stakeholder.
Board Seats			
Resident (5)	Elected		Open to Stakeholders at least 18 years of age. Not open to employees of housing/shelter providers. 3 reserved for low-income and/or homeless residents.
Business (1)			Must own a business (not non-profit) or work for a business within Skid Row.
Arts & Culture (1)			Must produce art and/or cultural material within Skid Row or with the participation of Skid Row residents. Open to all with an interest in Skid Row.
At-Large (1)			Open to Stakeholders at least 18 years of age. Must self-affirm a connection to the Skid Row community.

Social Service Provider/Faith- Based Board Member (2)	Must work for or run a nonprofit that is located within Skid Row boundaries or provide a faith-based service(s) within the Skid Row boundaries.
Community Advocate/Social Justice Board Member (1)	Must work for or prove affiliation with a community-based advocacy or social justice organization that operates within the boundaries of Skid Row.

To Whom it Many Concern,

I wholeheartedly support the formation of a Skid Row Neighborhood Council. I have been active with DLANC since 2010, specifically the Parks, Recreation & Open Space (now Livability) Committee, which I chaired as a non-board member in 2013. While I believe there is tremendous satisfaction & empowerment to be gained within the Neighborhood Council system, I have come to the conclusion that the unique issues that Skid Row faces are not being adequately handled within DLANC, nor is there any sense of urgency about them.

I have been a resident & property owner in Skid Row at the Little Tokyo Lofts since 2010. Since this time, I have begun a blog detailing the efforts & history related to community betterment in the public space of my community. I have also worked extensively with our Council Office both before & after redistricting to address many of the ongoing health hazards in Skid Row including lack of trash cans, lack of public toilets, used needles on the sidewalks, lack of working street lights, ungrated storm drains, rat infestation, lack of bus benches & more. Most all of these efforts & corrective measures taken by the City were negotiated & worked on outside of DLANC. This has been challenging in that many meetings with City Departments & local residents have had to be put together in a "patchwork" fashion. If there were regularly scheduled Skid Row Neighborhood Council meetings, City staff would know when & where to show up so that our very specific needs could be worked through. Furthermore, many residents of Skid Row are physically disabled & elderly, thus have a hard time getting around outside our neighborhood.

I write to you as a property owner, but as the attachment to this letter shows, the vast majority of residents in Skid Row are renters of "SROs". Most of the SRO units in Skid Row have a 55 year ordinance attached to them, guaranteeing their low income status. These SRO units are also legally classified as "permanent supportive housing", which means these renters can stay as long as they wish to. Considering this is the structure of the neighborhood, and that many residents of Skid Row are long-standing, it seems logical to me that they should have distinct & separate representation within the Neighborhood Council system. As it stands, they do not. Although I have tired, I have been unable to get our current DLANC Board to understand the difference between the Property developers/management of SRO buildings & the residents themselves. In my research, I have learned that these SRO tenants have no independent representation anywhere in the City, yet many have serious concerns about their living conditions. Numerous Skid Row residents have attended DLANC meetings in the hopes that some of their housing issues could be addressed. Some of the issues related to housing & sheltered people in Skid Row are violence, drug dealing, intimidation, contested evictions, bed bug infestation, TB outbreaks, food insecurity & more. Being a resident of the community myself-I have taken this issue on. Although we have a "Skid Row Resident" seat currently, the DLANC Board seat structure does not separate "landlord" & "tenant."

I am extremely concerned that DLANC cannot address & ultimately does not understand Skid Row as a community, let alone our unique needs.

In conclusion, I fully support General Jeff's effort in the formation of a separate & distinct Neighbored Council for Skid Row (SRNC). In the four years since knowing him, he has proven himself to be a tireless advocate for the residents of our community. Skid Row is in many ways, a "city within a city", a mature community with it's own cultural & artistic heritage. To improve it, we must work from the inside out. Our issues are so complex, our structure so distinct, that the most efficient way for us to work with the City is to be independent. Thank you for your consideration of this matter.

Sincerely,

Katherine McNenny

Blogger at Trees On San Pedro Street

2013 Public Chair of DLANC Parks Committee

Co-Founder of Industrial District Green

grode tom

To: me

Dec 2, 2014

Hi General Jeff,

I was at a monthly meeting of United Central East Prevention Project (UCEPP) and Charles Porter mentioned an attempt to create a Skid Row Neighborhood Council from ten years ago. This was the first time I ever heard about it and asked him some questions. A week later he sent myself and another Skid Row resident an email with a 133 page transcript of a public meeting ten years ago where the City Commissioners put together the structure for neighborhood councils downtown. The main issue in the 133 pages was should a Downtown Los Angeles Neighborhood Council include Skid Row or should there be a Skid Row Neighborhood Council. I enjoyed reading the different points of view presented to the commission by the public on why Skid Row should be part of a DLANC and why it should be it's own neighborhood council. I enjoyed reading the first 129 page of the 133 until it got

very disturbing and ugly. On page 129 the last public comment made before the commissioners deliberated to make their decision was by the leader of the DLANC effort to include Skid Row and he accused the commissioners of balkanizing downtown meaning dividing downtown into sections then pitting the sections against each other so the city can maintain control. That might be the ugliest accusation you can make in that situation. It also implies the people advocating for a Skid Row Neighborhood Council are just pawns of the government. That was the birth of DLANC. And so here we are ten years later and I believe even if there was a strong consensus, and there isn't one, that Skid Row has done well over the past ten years as part of DLANC, I believe there still should be a Skid Row Neighborhood Council because Skid Row is so unique and the issues here are so complex, so serious, and there are so many of them that I can't imagine a better place in all of Los Angeles for a neighborhood council than Skid Row.

Thanks Tom Date ///6/15

To whom it may concern,

I/We at _____, express our support for the creation of the Skid Row Neighborhood Council.

With all of the numerous issues, including homelessness and mental illness, that need to be addressed in the area commonly known as "the homeless capitol of America", a pioneering governing body encompassed with representation of the local residents, businesses, non-profit organizations and other Skid Row stakeholders, which include arts, crafts and culture, the opportunity presents itself for the formation of a platform which we think will help to create the necessary solutions to change Skid Row for the better.

If there are any further questions, please feel free to contact me/us at <u>Elena i popp 17 egnal</u> an

Thank voll

Thank you,

Name

Clena I Papp

428/15

I live on The Corner

of 3rd st. & San Pedro

and would like to be

informed of SKID ROL'

Community council neetings.

My e mail is: Tollarykial 273145
O gimil-com.

Phore: 714 335 2955.

Thank 160. Tom Drong our Sunday, January 25, 2015

To Whom it may Concern,

I am Yvonne Michelle Autry, a 13-year resident and STAKEHOLDER of Downtown Los Angeles! Currently, I serve as an active member of UCEPP (United Coalition East Prevention Project), LAPD (Los Angeles Poverty Department), CCEC (Central City East Church, former choir member), DramaStage-Qumran, a former BOARD of DIRECTOR, MEMBER of LOS ANGELES COMMUNITY ACTION NETWORK, and as a current member of the same, etc.

At this time, I would like to officially and formally STRONGLY ENCOURAGE you to support General Jeff in his EFFORT to create a SKID ROW NEIGHBORHOOD COUNCIL! I would like to take this opportunity to urge you to use your authority! Use ALL OF THE POWER that you have, ALL OF THE POWER IN YOUR POSSESSION, towards this end! I would like to appeal to you on behalf of THE ENTIRE SKID ROW COMMUNITY and Downtown proper!

Though I am NOT a SKID ROW RESIDENT, I do frequent this area quite often! My residence is SKID ROW ADJACENT (6th & Spring)!

Despite that SKID ROW is ONE OF THE MOST UNDERSERVED, UNDER REPRESENTED COMMUNITIES in Los Angeles, this community REMAINS ONE of the MOST INDIGENT with the GREATEST NEED!

Please do FEEL FREE to challenge my former statement! SUPPORT the formation of THE FIRST SKID ROW NEIGHBORHOOD COUNCIL! CREATED to CONTINUE POSITIVE CHANGE IN OUR COMMUNITY! THIS WILL INEVITABLY POSITIVELY INFLUENCE, IMPROVE & UPLIFT the ENTIRE DOWNTOWN COMMUNITY!

Clean water availability, SANITARY MAINTENANCE of CLEAN STREETS (creating and maintaining a SAFE & HEALTHY neighborhood). THE RIGHT TO SHARE FOOD (with clean up), SAFE and legal places to GATHER, observance of and authorization of 'THE HOMELESS BILL OF RIGHTS', job training, AFFORDABLE HOUSING AVAILABLITY, holistic healing facilities, places for continued community organizing & advancement; CENTERS for COMMUNITY & CULTURAL CELEBRATIONS; CENTERS FOR SHARING ARTISTIC ACHIEVEMENT & EXPRESSION, CONTINUED SCHOLASTIC DEVELOPMENT etc. These are but a few of the ISSUES to which General Jeff has ONLY begun to provide SOLUTIONS!

Again, at this time, I would MOST URGENTLY BESEECH you and ENCOURAGE you to use ALL OF YOUR AUTHORITY TO CONTINUE TO CREATE POSITIVE CHANGE IN SKID ROW!

In spite of PREORDAINED GOVERNMENT AGENDAS for this community, I REMIND you that America is STILL supposed to be A COUNTRY where 'ALL HAVE THE EQUAL OPPORTUNITY TO ACHIEVE and SUCCEED in pursuit of HEALTH, HAPPINESS, etc. This has NEVER been realized, without bias, NATIONALLY! Thusly, SKID ROW has the RIGHT to prosper, economically, socially, culturally etc. Just like EVERY OTHER NEIGHBORHOOD!

Ultimately I would like to urge you to TAKE THIS OPPORTUNITY! USE YOUR POWER to ENABLE General Jeff, and his cadre of MOST concerned community constituents in their creation of an SRNC which will draw attention to ISSUES that DLANC CONSTANTLY and CONSISTENTLY refuses to address! Thereby focusing POSITIVE CONSTRUCTIVE ATTENTION to THE ABOMINATION that SKID ROW is due to willful and intentional neglect and discrimination perpetrated by the City of Los Angeles and the Federal Government of The United States of America!

GIVE US THIS CHANCE!

Be 'A FORCE FOR GOOD'! Let SKID ROW 'BE ALL THAT IT CAN BE'! Begin by saying 'YES' to the FORMATION of THE VERY FIRST SKID ROW NEIGHBORHOOD COUNCIL!

Do your part in making America what it is supposed to be: A LAND OF EQUAL OOPPORTUNITY ... with LIBERTY & JUSTICE FOR ALL

GIVE US A CHANCE TO GROW!

Thank you in advance for giving US, this opportunity!

MOST SINCERELY, MOST RESPECTFULL YOURS,

Yvonne Michelle Autry

Judith Hansen

To: Katherine Mcnenny, me

Dec 7, 2014

I so agree!

Skid Row is a separate community and the area is too complicated to be well understood by folks not living in its' midst. I know first hand. There is no way as an outsider I could wisely enter SR issues. To be called to vote on issues affecting SR was really impossible for most of us on the DLANC board.

Skid Row is a neighborhood with unique issues. It needs its own voice.

Please know I will write any kind of support you need.

I frankly think you are amazing.

Cheers.

Department of Neighborhood Empowerment 200 North Spring Street, Suite 2005 Los Angeles, CA 90012

1/5/2015

To Whom It May Concern:

I would like to formally announce my support for the establishment of a neighborhood council under the auspices of the LA Department for Neighborhood Empowerment for the Skid Row district of downtown Los Angeles. The area lacks proper representation in the current forum and would benefit greatly from its own neighborhood council.

Sincerely yours,

James McMath 420 S. San Pedro Street, #506 LA, CA 90013 646-479-0856 10 WINOM IT IMAY CONCEKII,

This lettle is in support for the creation of the skid kow

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and social issues affecting

them on a daily basis.

The implementation of the

skid kow neighbothood (Unsil)

and activists seneral Jeff, faular Delmit Stand, amonomorons Context of the city itself. please and as lesult to the revitalism Caltulal, Social A Munderstanding of will collabor or the colly or ext to be what in this community that is unique, and at-risk Of Burtown LA. As a Fellow activist in the Community, Skid Pow Offels invaluable Clononic,

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BIVE, TAKE, SPEAK LISTEN

lifelinebooth@mail.com facebook.com/ifelinebooth check out all episodes on youtube @lifelinebooth

Transforming pay phones is nomeless communities into places of refuge by way of donated items for enyone's taking

Deborah A. Meadows

To

me

CC

timothy keating Frank Theobald Wendy Sherman

Oct 15, 2014

General Jeff (cc: LARABA officers),

Thanks for coming to our meeting. The LARABA board voted to send the following message to HCNC: "In tonight's meeting in General Jeff's appeal for a letter of determination toward the formation of a Skidrow NC, LARABA is deferring to HCNC on this matter."

Thanks,

Deborah Meadows, LARABA president

Don Petrosky Garza It is my contention that president of dlanc patt betman has deliberately and unequivocally led efforts to set aside the spirit of the city charter of which inclusion has been the buzz word for the creation of NC,s by disenfranchising skid row stakeholders through the elections process. Dlanc in my opinion does not seem to want skid row to have a voice and make it difficult for all stakeholders to participate fully from skid row. Thus, I fully support the efforts to create a skid row neighborhood council.



Thomas K Nagano When Lesley Taplin and Qathryn Brehm were trying to organize the Downtown Neighborhood Council, Joel Bloom said Downtown Los Angeles is "too diverse...you have Arts District, Downtown, Chinatown, Little Tokyo, Skid Row...There should be a separate neighborhood council for the Arts District." And such was the founding the Historic Cultural Neighborhood Council (HCNC) with a budget equal to the Downtown Los Angeles Neighborhood Council (DLANC). The issues of Skid Row deserve a neighborhood council funded a budget equal to HCNC and DLANC and all the other neighborhood councils. "Skid Row - Self-Determination Now" - TK

January 6, 2015

To Whom It May Concern:

I am writing in support of the formation of the Skid Row Neighborhood Council. Skid Row is a neighborhood, with over 6,000 residents living in apartments and low income housing, some of the only affordable housing in all of downtown. Additionally, there are thousands of residents living on the streets of Skid Row, either waiting for housing, unable to attain limited housing, living in transitional shelter housing, mentally disabled, fighting drug addiction, or just in transition. The needs of the community are not being fully addressed or actually solved under the umbrella of the larger Downtown Los Angeles Neighborhood Council.

I started researching a documentary about downtown homelessness and SRO housing in 2008, so I have been to a DLANC meeting, and plain and simple they do not have enough time or resources to address the overwhelming needs and issues of Skid Row. It is clear that DLANC's priorities are to revitalize downtown, and the extreme poverty in the streets of Skid Row is not being fully addressed. A local neighborhood council for Skid Row would not only shine a light, but finally put the needs of so many underrepresented residents as the number one priority.

Additionally, Skid Row receives a tiny portion of funds allocated by the City of Los Angeles, most of the revenue...tens of millions... goes to the more affluent areas of downtown, whether in the form of trash cans, sanitation crews, park maintenance or larger economic investment. The lack of economic investment from local sources means Skid Row is stuck and cannot grow to further meet the needs of local residents. A neighborhood council would benefit not only downtown, but all of Los Angeles and bring more jobs and economic growth to our city.

We need to make sure that everyone's needs are fully represented in downtown, and that is why I support the Skid Row Neighborhood Council.

Thank you,

Andreéa Teodorescu

November 23, 2014

To Whom it May Concern,

I'm writing in support of the creation experiment in which 50 blocks in downtown Loss were sometiment in which 50 blocks w

adjacent areas has put this community at risk

I've been working in Skid Row for 30

the Homeless Organizing Team, I helped organized at LA City Hall, which resulted in 100 n grievances in class action lawsuits that resulted in 100 n founded the first sustained arts project on Skid

Biggest Recovery Community Anywhere identified by the Los Are geles Poverty Department. When LAPD widely adopted, including by city government. I explored how culture on Skid Row springs from explored how culture on Skid Row springs from used by community groups in their efforts to bridge at Lating at Skid Row.

used by community groups in their efforts to bring used by community groups in their efforts to bring town As Molly Rysman, a former director of A

In 1976 activists successfully introduced the people in a 50-block section of downtown. The common interests. Until recently, no people of means lived in Skid Row. If wealth colonizes the neighborhood, in recovery to be granted a liquor license, and characterists market rate lofts on its upper floors.

How in the social statistics is that the Downtown Neighborhood Council has to in 1976 activities and precipied which was adopted by the City and precipied in a 50-block section of downtown. The income equality and its residents have to happen: developers the neighborhood, restaurant located in a hotel housing per on its upper floors.

for a therapeutic space, because the building now The sad fact is that the Downtown Neighborhood Council has too often come out on the wrong side of interests that are inimical to the well being of Skid Row. As distinct minority Downtown Neighborhood Council has too often, aligned itself will members are from Skid Row, the community and its interests are not being served.

members are from Skid Row, the community and the skid Row community has cohered around its own grassroots institutions, it is a neighborhood that is to whims of moneyed interests. The culture that 's developed here—civic culture, artistic culture and recovery neighborhood council. The time is now.

John Malpede

SKIG ROW
CITY LIMIT
POP TOO Many ELEV 2008
CDNIC SRNC



State of California—Health and Human Services Agency California Department of Public Health



March 4, 2015

To Whom It May Concern:

The California Department of Public Health, Office of Health Equity (OHE), is writing this letter in support of creating the Skid Row Neighborhood Council (SRNC) as recommended by the Skid Row Public Space Task Force. The OHE exists to improve the health status of all populations and places, with a priority on eliminating health and mental health disparities and achieving health equity. This work has led us to become familiar with the many complexities in Skid Row, in part through site visits, resident interviews, and research that we have conducted.

General Jeff, an advisory committee member of the Office of Health Equity since 2013, has worked tirelessly to advocate for the residents of Skid Row, and has a deep understanding of the many challenges that negatively impact their overall health and well-being, such as violence, drug infestation, TB outbreaks, food insecurity any many more. The elderly, physically disabled and mentally ill are some of the most vulnerable residents in Skid Row. The SRNC will serve as a governing body with a Board of Directors to include representatives for the residents, businesses, non-profits and other Skid Row stakeholders.

According to a recent article in *Good Magazine*, "Skid Row is home to the highest concentration of homeless people in the United States. The sheer size of the homeless population means that the area is host to a number of poverty-related problems, among them theft, vandalism, untreated mental illness, sexual violence, and public health issues."

While the Downtown Los Angeles Neighborhood Council has made efforts to address the problems of Skid Row through a portion of its agenda, Skid Row's issues are vast and varied and

require a comprehensive approach to address the underlying causes of the inequities Skid Row residents face. With its unique structure, having a collective voice of all Skid Row residents, non-profits, businesses and other Skid Row stakeholders in the same room to expedite the much needed conversations will be invaluable to improving the quality of life for this underrepresented area.

In conclusion, the California Department of Public Health, Office of Health Equity, fully supports the proposal to establish a Skid Row Neighborhood Council that is specifically dedicated to addressing the challenges and special needs of Skid Row with a sense of urgency.

Maril

Sincerely,

Wm. Jahmal Miller, MHA

Deputy Director - Office of Health Equity California Department of Public Health

1615 Capitol Avenue Sacramento, CA 95814



January 9, 2015

To Whom It May Concern:

The Los Angeles Mission is a 501(c)3 non-profit organization established in 1936 to provide help, hope, and opportunity to men, women, and children in need. Located in Skid Row, the Los Angeles Mission strives to be a world leader among Missions that provide for the poor, restore the addicted, and eliminate homelessness. As part of the Skid Row community, the Los Angeles Mission recognizes the unique needs and challenges of the area.

Skid Row is a recovery zone area that needs a distinct assembly of its own designed to address these unique needs and challenges of the neighborhood and to hear from residents, businesses, non-profits and other Skid Row stakeholders on important issues facing the community. The Los Angeles Mission understands the importance and significance in forming a Skid Row Neighborhood Council and supports the efforts to improve the neighborhood with such a council.

Sincerely,

Herbert L. Smith President & CEO



March 12, 2015

that harrier

Angeles, CA 90021

213,683.0522 Tel

215.683.0781 Fax

www.skidrow.org

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Chairman

Vanessa Rodriguez

Vice Chairman

Adam Handler

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Jennifer Caspar

Paul Gregerson, MD

Simon Ha

ISK Architect

Marc Hayutin

Carlos Sand 14 P

Cheryl Hayward

Curtis Hessler

Vivienne Lee

Elsa Luna

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Michael Alvidrez
Executive Director

To Whom It May Concern:

I am writing to express our support for the formation of the Skid Row Neighborhood Council.

Skid Row is a historically significant and unique neighborhood that has specific issues and problems that require close attention and understanding of context. Currently, the Downtown Los Angeles Neighborhood Council (DLANC) has a large jurisdiction that includes Bunker Hill, Historic Core, the Fashion District, and part of the Industrial Arts district. Each neighborhood within DLANC has varying agendas, many of which are very different from the pressing issues that face Skid Row. DLANC does not have the necessary capacity to adequately understand and address the social and physical concerns of Skid Row.

Neighborhood Councils were historically established to empower and give voice to communities. By creating a Skid Row Neighborhood Council, the Department of Neighborhood Empowerment will give greater agency to the Skid Row community and provide a method to directly advocate for positive change our community.

Skid Row is a strong and resilient community with demonstrated leadership that has organized and empowered residents for a long time. The formation of the Skid Row Neighborhood Council will strengthen and bring more resources to an area that requires more committed representation.

Sincerely,

Michael Alvidrez
Executive Director



LOS ANGELES POVERTY DEPARTMENT

November 24, 2014

To Whom it May Concern:

I'm writing as Director of the Los Angeles Poverty Department in support of the creation of a Skid Row Neighborhood Council.

Founded in 1985, The Los Angeles Poverty Department is a performance and multi-arts group. The creative artists in LAPD are people who live and work on Skid Row. Los Angeles Poverty Department has always been committed to making community on Skid Row and to getting the real deal out to Normalville. In other words, we want the story about Skid Row to come from the people of Skid Row. Anyone living in the Skid Row community is welcome to participate in LAPD's creative process.

A number of LAPD's projects have chronicled the development of the community and the Skid Row residents who have done extraordinary things to stand up for and better the community. Skid Row has a large and sophisticated recovery culture. It has an informed citizenry that can and have mounted successful campaigns to preserve affordable housing, to prevent unreasonable searches and seizures, and to keep the few possessions of homeless people from being confiscated and thrown away. They've led campaigns to clean the streets, get more trash cans, more street lights and to renew Gladys Park.

However the community's interests are not sufficiently represented in the current Downtown Neighborhood Council. Skid Row is a recovery community dedicated to reversing the cycle of hurt and preserving and enhancing the dignity of every individual. There are no thrown away people on Skid Row. On Skid Row no one is less than. As a result it is a community of compassion where people are more skilled than in other communities in reaching out to others and across seeming differences. DLANC covers a wide area of downtown, including neighborhoods whose concerns are far different than those of the Skid Row community. As a result, the interests of Skid Row residents and their desire to improve their community are not sufficiently supported by DLANC. DLANC has made small and much appreciated contributions in support of a number of worthwhile Skid Row community initiatives, but on the most crucial issues that affect the integrity of Skid Row, DLANC has usually chosen to ignore the fact that Skid Row is the long standing downtown residential community, while siding with development interests in ways that hurt Skid Row. The New Genesis liquor license controversy is but one recent example. Skid Row needs its own neighborhood council to further its development as a recovery community, a community of compassion, a community that is concerned with housing the homeless, and not somewhere else, but in the community.

Sincerely.

Jeffin (12)

Director



Little Tokyo Community Council 100 North Central Avenue, Los Angeles, California 90012 213 625.0414 ext 5720

Email: info@littletokyola.org http://littletokyola.org

April 28, 2015

TO WHOM IT MAY CONCEMI.

The Little Tokyo Community Council (LTCC) would like to express its support surrounding the idea of the creation of the skid kow ineighborhood Council.

Understanding the importance of community self-determination and building collective voice for the positive benefit of a local community, the LTCC supports Skid Row's right to organize on their own behalf.

We look forward to working with the Skid Row Neighborhood Council toward the positive benefit of both the Skid Row and Little Tokyo Communities.

Sincerely,

Craig Ishii Chair, Little Tokyo Community Council March 27, 2015



JACL Pacific Southwest Regional Office 250 E. 1st Street, Suite 303 Los Angeles, CA 90012

Telephone 213.626.4471

www.jaclpsw.org

To Whom It May Concern:

We at the Japanese American Citizens League – Pacific Southwest District, express our support for the creation of the Skid Row Neighborhood Council.

With all of the numerous issues, including homelessness and mental illness, that need to be addressed in the area commonly known as "the homeless capitol of America", a pioneering governing body encompassed with representation of the local residents, businesses, non-profit organizations and other Skid Row stakeholders, which include arts, crafts and culture, the opportunity presents itself for the formation of a platform which we think will help to create the necessary solutions to change Skid Row for the better.

If there are any further questions, please feel free to contact me at snitahara@jacl.org or 213.784.7931.

Best.

Stephanie Nitahara

Pacific Southwest Regional Director Japanese American Citizens League.

intraction



April 1, 2015

To Whom it May Concern,

We at Little Tokyo Service Center express our support for the creation of the Skid Row Neighborhood Council.

With numerous and complex issues including chronic homelessness and mental illness facing the area commonly known as "the homeless capitol of America", a pioneering governing body representing local residents, businesses, non-profit organizations and other Skid Row stakeholders is crucial as the community navigates the changing landscape of downtown Los Angeles.

We strongly believe that this diverse group representing Skid Row Neighborhood would encourage a healthy and vibrant dialogue as the Skid Row community seeks creative solutions and ideas for a positive future.

As a social service organization focused on holistic community growth, affordable housing, economic development, and revitalization of the community, we are in strong support of the formation of Skid Row Neighborhood Council.

thank you,

Dean Matsubayashi Executive Director

Little Tokyo Service Center



UNCATION Honoring the Cradle of the Pentecostal Movement for Generations to Come!

January 21, 2015

To Whom It May Concern,

I would like to write a letter of support to those forming the Skid Row Neighborhood Council (SRNC), which would concentrate its efforts towards issues related to the skid row community at large. I've known General Jeff for the past three years as an advocate and friend to the skid row community. His continued efforts in trash maintenance, increased toilet facilities, and skid row beautification through the use of murals and tree planting, along with community participation in helping form a basketball camp shows his desire to improve the living conditions for those living on the downtown streets of Los Angeles.

With the homeless population growing it will be necessary for a committee to be form to address specific issues only related to the skid row residents that are not addressed right now.

I hope you will lend your support for the voices of those that have no voice. The formation or the SRNC would be a perfect opportunity to hear those voices in an appropriate and informative manner.

Sincerely,

Bob Aisawa

Executive Director/ Azusa Street Missions Foundation

16027 Brookhurst St., I-290

Sith

Fountain Valley, CA 92708

(714) 403-1637

azusastreetmissionfoundation.com



7 January 2015

To Whom It May Concern:

Over the past six years, I have been a distant participant in the heartfelt work of helping to improve the community of Los Angeles known widely as the Skid Row community. It is a passion that has invaded my life, and fills my soul to overflowing year after year. I adore the opportunity to share my passion each year with a team of high school students, and challenge them all to listen and learn first—to get educated and to be informed before serving others. My everyday home is 350 miles away, but in some ways, I feel much more a part of the Skid Row community than my own physical neighborhood.

On countless occasions, I have met and chatted with residents of Skid Row—not only with those on the streets, but also with those who work in local ministries, those in advocate roles, and those in law enforcement roles. I have seen outside visitor groups come and go, both those whose actions are encouraged, and others whose style of helping is not actually helpful. My awareness of community issues continues to be primarily informed through these many ongoing discussions and interactions. Perhaps with the unique benefit of being an outsider, my perspectives might be shaped absent of the potential biases a community stakeholder may carry. My motivation is simple: I love helping the people in the Skid Row community in meaningful ways.

Upon the news that the Skid Row Neighborhood Council (SRNC) is lobbying for official recognition, I wholeheartedly endorse this effort, with the vision that various community members will have an improved opportunity to articulate their concerns, and that council members will have an improved opportunity to wrestle with community-specific issues that arise. Skid Row assuredly needs this missing voice.

My hope is that this letter of support will assist in encouraging official acceptance of the SRNC as the thoughtful voice of the Skid Row community within the greater City of Los Angeles. I am happy to make myself available for any questions or further discussions.

Submitted in earnest.

Matt Nisbet

Director of Operations

Swamp Pink

Landscape Architecture

125 North Orange Drive, Los Angeles, CA 90036 T 323.394.9693

CA License: 5834

January 10, 2015

Re: Formation of a Skid Row Neighborhood Council

To Whom It May Concern:

This letter is to state my full support of the formation of a Skid Row Neighborhood Council. I am an Arts District property owner and resident who sits on the board of LARABA (Los Angeles River Artists' Business Association), Co-Chaired LARABA's Land Use Committee in 2014 and am part of a local non-profit organization that plants and maintains trees in the Arts District and Skid Row.

As a community and environmental activist with an understanding of local Downtown Los Angeles politics, I believe that the Skid Row residents and community need to have this opportunity in order to address their specific concerns as a collective voice. They are an organized community filled with knowledgeable creative minds and I support their efforts to separate from the Downtown Los Angeles Neighborhood Council's Borders as I don't believe DLANC is able to properly represent Skid Row and their issues.

The time is now for the formation of a Skid Row Neighborhood Council and I hope you will consider what is best for this great Community.

Respectfully,
Gabrielle Newmark

Landscape Architect/Owner - Swamp Pink Landscape Architecture Program Director – Industrial District Green.



310-420-5201 fudurich@mac.com 209 South Garey Street - Second Floor Los Angeles, CA 90012

January 7, 2015

c/o Issues And Solutions 1626 North Wilcox Ave Suite 924 Hollywood, CA 90028

To Whom It May Concern,

My name is Christopher Fudurich. I am the Arts District Business Representative for the Historic Cultural Neighborhood Council and the President of the Los Angeles River Artists and Business Association (LARABA).

I am writing this personal letter of support for the formation of the Skid Row Neighborhood Council. Being a 15 year resident of the Arts District and being involved with the changes around us, I feel that our Skid Row neighbors need and deserve their own voice in representing their dynamic community.

Sincerely yours,

Christopher Fudurich

OFFICERS
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Sara Harris, Secretary
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Lydia Moreno, Historian



HISTORIC CULTURAL NEIGHBORHOOD COUNCIL c/o Koban 307 E First Street Los Angeles, CA 90012

> President: Itmanjuman@msn.com Secretary: hcncla@gmail.com t. 213. 849.0012 f. 213. 513.0282

OF I	5 410
	* FR. 15*
BUND	5 119

June 30, 2015

To: Department of neighborhood empowerment

Cc. General Jeff

Subject: Skid Row as a independent Neighborhood Council.

To Whom it may concern,

The HCNC is in support of the idea of creating an independent Skid Row Neighborhood Council as voted on our April 14,2015 board meeting.

HCNC Vote Yes 21 No Abstain 2

Brian Kito

President

Historical Cultural Neighborhood Council

EXECUTIVE BOARD MEMBERS

George Torres, President

Davilee Henderson, Vice President

> Blanca Cruz, Secretary

Nancy Avita, Treasurer

William Flores, Parliamentarian

ZAPATA-KING NEIGHBORHOOD COUNCIL

CITY OF LOS ANGELES



JUNIPERO SERRA LIBRARY 4607 South Main Street Los Angeles, CA 90037 www.zapatakingnc.org

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Community Interest Representative
Valeria Olmedo,
Youth Representative

Letter in Support of the Creation of the Skid Row Neighborhood Council

The Zapata King Neighborhood Council declares that a Brown Act compliant public meeting was held on Wednesday, August, 19 2015, and with _____ members present for a quorum, the Zapata – King Neighborhood Council voted ____- to support the formation of the Skid Row Neighborhood Council.

With all of the numerous issues, including homelessness and mental illness, that need to be addressed in the area commonly known as "the homeless capitol of America," a pioneering governing body encompassed with representation of the local residents, businesses, non-profit organizations and other Skid Row stakeholders, which include arts, crafts and culture, the opportunity presents itself for the formation of a platform which we think will help to create the necessary solutions to change Skid Row for the better.

	August 19, 2015
George Torres, President	Date



December 6, 2016

To Department of Neighborhood Empowerment (DONE),

As Chair and on behalf of the Skid Row Neighborhood Council- Formation Committee, it gives me great pleasure to inform you of the widespread support for our effort from many of the 96 NC's citywide.

Of said 96 NC's, while we originally intended to request a Letter of Support from each of them, time and availability became intruding factors and thus our effort was significantly reduced.

That said, of the NC's we did request and present before, NOT ONE opposed our efforts to form and we hope that you will factor in our high level of success into the

remaining 96 NC's which we have not yet contacted for support.

Here is the list of NC's who support our efforts to create the Skid Row Neighborhood Council;

- 1) Silverlake NC
- 2) Greater Echo Park/Elysian NC
- 3) Historic Cultural NC
- 4) South Central NC
- 5) Zapata-King NC
- 6) Central Alameda NC
- 7) South Los Angeles Alliance of NC's (SLAANC);
 - a. Central Alameda NC
 - b. Community and Neighbors for Ninth District Unity
 - c. Empowerment Congress Central Area Community Development Council
 - d. Empowerment Congress North Area Community Development Council
 - e. Empowerment Congress Southeast Community Development Council
 - f. Empowerment Congress Southwest Community Development Council
 - g. Empowerment Congress West Area Community Development Council
 - h. Mid-City NC

- i. Park Mesa Heights Community Council
- j. South Central NC
- k. United Neighborhoods NC
- l. Voices of 90037 NC
- m. Watts NC
- n. West Adams NC
- o. Zapata-King NC

(Please note that there may be repetition. It is due to NC's who invited our SRNC-FC to present to their Board of Directors in addition to the SLAANC.)

We also received verbal support from Board members of NC's from Van Nuys NC, Boyle Heights NC and Central San Pedro NC. While we are confident that we would have received even more Letters of Support, we chose instead to focus on working diligently to get the overall subdivision process approved by City Council- And we were successful in our efforts!

Regards,

General Jeff Chair-

Skid Row Neighborhood Council- Formation Committee



Best Of :: Arts & Entertainment //// 2015

Skid Row City Limits

BEST STREET ART MURAL

BY ISAAC SIMPSON



SKIO RO CITY LIMI POP Too Many ELE



Street art and Skid Row are two of the defining cultural elements of L.A. Combining them is Skid Row City Limits, a powerful piece of street art by Winston Death Squad. It is both a beautifying tapestry and a statement of community. When the city tried to rename the infamously off-the-grid neighborhood "Central City East," Skid Row community organizer General Jeff knew it was time for its residents to take control of their destiny, at least symbolically. The mural identifies Skid Row as itself, showing a municipal street sign for the area and a map defining its borders. The mural's importance to the underserved community cannot be understated. "Skid Row is known all over the world," General Jeff says. "Yet this is the only place in Skid Row where it actually says Skid Row publicly." East Sixth and San Julian streets, Skid Row, 90014.



Making the Case for the LA Skid Row Neighborhood Council

GENERAL JEFF 19 MARCH 2015

SKID ROW, DOWNTOWN LOS ANGELES- The positive results of a

citywide election made it possible in 1999 for the Los Angeles City Charter to include the creation of the neighborhood council system. It was described as a vehicle which would act as a liaison between the public and the City's elected officials and all other City agencies.

The Neighborhood Council system's governing document "Plan for a Citywide System of Neighborhood Councils" has "goals and objectives" which include (Page 1, in order); 1) The promotion of public participation, 2) The promotion and facilitation of communication, interaction and collaboration between all other NC's, 3) The facilitation of City services and government responses, 4) To ensure equal opportunity, 5) To CREATE AN ENVIRONMENT IN WHICH ALL PEOPLE CAN ORGANIZE AND

PROPOSE THEIR OWN CERTIFIED NC SO THAT THEY DEVELOP FROM THE GRASSROOTS OF THE COMMUNITY and 6) To foster a sense of community for all people.

The entire "Plan" document is 24 pages long. It is filled with details and specifics which clarify BEYOND DOUBT what a qualifying neighborhood looks like and also what the process is in order to establish an NC.

The Skid Row community does indeed qualify. Not with the primary criteria of having 20K residents, but with the secondary criteria of having two Cityowned parks, a police station, a fire station and obviously by being a well-known area with a distinctive name and having an even more distinct

characteristic- being "The homeless capitol of America".

With constant and myriad quality-oflife issues that have existed for decades, Skid Row is in dire need of significant City services and long-term solutions which apparently cannot be produced and/or developed within it's current position of government connectedness. Presently, Skid Row is a part of the Downtown Los Angeles NC (DLANC) and has been there since DLANC's inception in 2002.

Thirteen years later and while the rest of Downtown has improved significantly, even with international developers now investing and constructing multiple billion-dollar projects in every direction around it, Skid Row still remains the same.

With hundreds of homeless encampments on the public sidewalks, a constant stench of urine and feces due to a lack of public restrooms (of which the City of Los Angeles was cited for multiple violations by the LA County Health Department in 2012) and ever-changing "solutions" initiated by inept non-profit leadership, said "DTLA" development and Downtown's overall condition can be described as "A donut full of glaze (shine) all around us in a circle (which represents the billion-dollar developments), with Skid Row being the empty donut hole in the middle".

There is no question that Skid Row is in desperate need of repair. Some suggest that a Federal "state of emergency" needs to be declared.

While the DLANC is doing an excellent job of supporting Downtown's overall revitalization, Skid Row has been "left on the back burner". This, then, paves the way for the creation of the Skid Row NC. While it was "too soon" to be created in 1999, the Skid Row NC already has an anticipation of great leadership and passionate community members, which is the basis for an active and engaged NC.

(Photo: Stakeholders meet to discuss Skid Row Neighborhood Council.)



Why, then, are there "naysayers" to this obvious "no-brainer" of a solution?

Since last summer (when the Skid Row NC formation talk began), there have been influential people who represent communities that already have NC's "leading" the "killjoy sessions", mostly with concerns of how additional NC's will negatively affect the City's overall budget (read: their own NC's budget). There are also representatives of the Department of Neighborhood Empowerment (DONE) who also point to the budget as a hindrance and motivating factor to voice their "concerns".

However, all of this "naysayerism" (not a real word, but it seems appropriate) is in direct contrast to

the previously explained "goals and objectives" of the citywide NC "Plan". Then, to undermine the efforts of Skid Row residents who are TRYING to do something positive, suggests that there are people who would prefer that we remain in a helpless state of existence and continue the historical drunken stupor that has drained time, energy and resources from the City of Los Angeles and it's citizens for decades.

There is a newfound positive energy in Skid Row these days which breeds hope to its residents. This should be embraced and supported. With the definition of all new SRO low-income affordable housing described as PERMANENT supportive housing, the residents are all but assured that we

will not be going anywhere. Therefore, it's time for change. It's time to see Skid Row as a community. It's time to support the resident's efforts to create a viable neighborhood, even with its negative detractions. It's time to support the creation of the Skid Row Neighborhood Council.

By doing this, it gives us hope. It gives us something to do. It gives us something to live for. It gives us an opportunity to contribute positively to society. Understanding the historical significance of the creation of this particular governing body means Angelenos equally understand that this is the very example of why the NC system was voted for in 1999. Not for the communities that were well off,

but instead for the communities that were left out.

This is NOT about money, it is about survival.

If the \$3.7 million-dollar budget that the City of LA allocated to its own "Operation Healthy Streets" to clean Skid Row hasn't made a significant dent in the issues, how can the anticipated \$30 thousand dollars given to the SRNC be a factor?

Human Beings have emotions and feelings. We strongly feel that the creation of the Skid Row NC is our best opportunity to positively change our community forever.

Who, then, wouldn't want to support this?

The Skid Row Neighborhood Council ... coming soon to Downtown LA!

(General Jeff is Chair of the Skid Row Neighborhood Council Formation Committee and an occasional contributor to CityWatch.)

CityWatch

Vol 13 Issue 24

Pub: Mar 20, 2015



L.A. neighborhood councils could become smaller, Skid Row may get its own

By City News Service

POSTED: 10/16/15, 11:15 AM PDT | UPDATED: ON 10/16/2015

LOS ANGELES >> Neighborhood councils in Los Angeles would have an easier time breaking up into smaller councils under a policy supported Friday by a city panel.

Some Los Angeles neighborhoods have expressed interest in branching off into their own councils, either because the existing boundaries are too broad or "local interests are not being met," Councilman Jose Huizar said.

The proposed policy approved by the City Council's Rules, Elections, Intergovernmental Relations and Neighborhoods Committee Friday would give neighborhoods more flexibility to subdivide, while also ensuring it would not result in an influx of new neighborhood councils, Huizar told the committee.

The city currently has more than 90 neighborhood councils, which receive about \$37,000 a year for local needs.

The panels also advise the Los Angeles City Council and other city officials on local issues and the local impact of broader city policy.

The process for dividing into smaller councils requires existing councils to decertify before they go through the process of forming as separate councils.

Under the proposed subdivision policy, an election would be held to create the smaller council, and if approved, the boundaries would be changed without requiring the councils to re-certify. The aim of the proposed policy is to provide the opportunity for new councils to be formed every few years or so at the most, Huizar said.

Among those supporting the policy Friday include Skid Row activist General Jeff, who said it will help efforts to create a Skid Row-focused neighborhood council that focuses on the interests of the area's mostly homeless denizens. The 50-block area currently is part of the Downtown Los Angeles Neighborhood Council.

Because the proposed policy may require hiring more staffing, the issue was also sent to the City Council's Budget and Finance Committee for review.

Huizar also requested that funding for the policy be considered for inclusion in the upcoming year's budget.



How Do You Breathe Life into a Neighborhood That's Been Forgotten?

(As the unofficial mayor of Skid Row, activist General Jeff Page fights for his neighbors to have a voice in the governing of their community) General Jeff decided to solidify that ethos by creating Skid Row's own neighborhood council. In formation meetings chaired by General Jeff, residents have been discussing the board's ideal structure. They'll submit a formal application to break away from DLANC in October, and then start campaigning for the special election that could happen as early as spring 2017.

There's one main issue standing in the neighborhood's way: a previous requirement that each council must oversee a minimum of 20,000 residents; the Skid Row zip code, according to city data, was just 8,096. Stephen Box, a spokesperson for EmpowerLA, confirmed that the average neighborhood council serves 40,000 residents. But he also pointed out that councils represent communities that greatly differ in size, from the massive 103,364 people served by Wilshire Center-Koreatown's group to the tiny 7,323 residents in Elysian Valley Riverside.



"We're getting up and doing something positive for ourselves. We're not waiting for a handout or even a hand up," says General Jeff. Photo by Ted Soqui

"Historically, going back to stereotypes, they're all drunks bums and addicts. They're all panhandlers. They don't contribute anything productive to society. 'Why don't you get up and do a job? Why don't you do something?" General Jeff squeaks in a high-pitched voice, imitating his critics talk about Skid Row community members. "Let me tell you, that's what we're doing," he says. "We're getting up and doing something positive for ourselves. We're not waiting for a handout or even a hand up. We feel that we have something to contribute. We want to add our voice to the conversation that dictates our future."

Come election season, General Jeff and his neighbors will see whether the rest of downtown is willing to let them assume decision-making power — or whether the poor of Los Angeles will continue to be voiceless.

Read more: http://nationswell.com/general-jeff-skid-row-community-activist/#ixzz4S22YH6oe



Curbed Cup First Round Results: Skid Row Pulls Off an Upset

BY ADRIAN GLICK KUDLER DEC 18, 2015, 4:09PM PST

And that's a wrap on round one of the Curbed Cup for Los Angeles's 2015 Neighborhood of the Year. After these eight contests, our high seeds are mostly standing strong—first seed <u>Watts</u>, second seed <u>Boyle Heights</u>, and third seed <u>Frogtown</u> all had strong showings—

but **Skid Row** pulled out <u>a big upset</u> over **Vernon**,

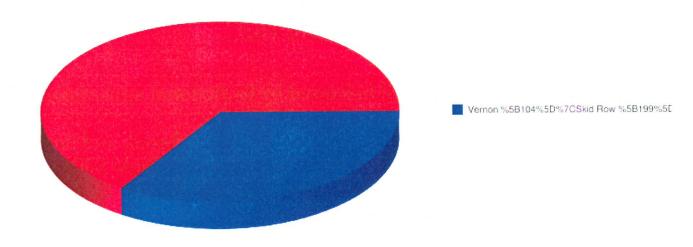
which was not at all bolstered by its fictional appearance on *True Detective*.

Meanwhile, **Pacoima** <u>hammered</u> Willowbrook and the people have apparently spoken about that whole NFL stadium fight: **Inglewood** <u>defeated</u> Carson. On to round two and the Elite Eight!

Curbed Cup Round 1: Vernon (4) vs. Skid Row (13)

BY ADRIAN GLICK KUDLER DEC 15, 2015, 2:46PM PST

Skid Row actually had a pretty rough year. As homelessness in LA has risen sharply, the City Council passed a law allowing the city to seize property left on sidewalks and issue tickets on top of that; it came out that the majority of money the city spends on homelessness is actually spent on criminalization of the homeless; and an LAPD cop admitted that Downtown's rich gentrifiers are encouraging the force to hassle the homeless out of their long-time neighborhood. But the community is remarkably cohesive—they proposed a neighborhood council for the area this year, which would give them formal power to advise the city on matters that are important to Skid Row. Meanwhile, the homeless nonprofit Weingart Center has proposed its own answer to encroaching gentrification: a 14-story tower of permanent supportive housing.



Blue- Vernon [104] Red- Skid Row [199]



General Jeff's Neighborhood Guide to LA's Skid Row

The unofficial mayor of Skid Row shares secrets of the neighborhood, where there is a "true sense of community"

BY BIANCA BARRAGAN APR 12, 2016, 10:46AM PDT

The People's Guide offers tours of Los Angeles neighborhoods led by loyal readers, favorite bloggers, and other luminaries of our choosing. Our guide to Skid Row is none other than General Jeff Page, who is known to many as the unofficial mayor of the neighborhood. Find him on Twitter and Facebook.



Stephen Zeigler

What do you like least about the neighborhood?

The lack of a Skid Row-specific neighborhood council. Without a Skid Row-specific governing body (of which there are 96 NC's already active across Los Angeles), the true issues and concerns that the people who live here have cannot be addressed. Instead, our collective voice is drowned out by numerous "established voices" who dominate each and every conversation about a community they don't even live in.

Compared to any "healthy" community in Los Angeles, *no* decisions are made without community input—meaning residents as in the people who live there and will be most impacted by each and every decision.

The question then becomes, Do people outside of Skid Row know how residents in Skid Row feel about Skid Row? What their concerns are?

Their solutions to fix the numerous problems? A healthy and necessary discussion starts right there.

Tell us something we don't know about Skid Row.

The creation of the Skid Row Neighborhood Council would give such a tremendous boost to the mental psyches of each and every resident in Skid Row....This one element would automatically give more responsibility and credibility to our community's collective voice and also with that, pressure to not fail...This simple mindset alteration once proven to be successful would help to establish a brand new outlet where a growing number of people in our community could avoid complacency, avoid falling into "negative energy-filled quicksand" and instead contribute positively to both our community and the greater society of Angelenos who care about improving Los Angeles for all.

What are the hidden gems in Skid Row?

Gladys Park: Because it is known as the headquarters of the Skid Row Residents' Positive Movement. Since 2007, the award-winning Skid Row three-on-three Streetball League (2010 winners of *Downtown News'* Downtowners of Distinction Award) have called Gladys Park their home court. Los Angeles Poverty Department's Festival for All Skid Row Artists (an event where anyone with artistic talent can display their skills—includes singing, spoken word, live music from rap to classical, painting, sculpting various arts and crafts and more) happens each year in GP. Had the sixth annual event in October of last year. LAPD is also known as "the other LAPD."

GP is also home to the Skid Row Chess Club and overall is a place where people go to "feel normal." Us residents are proud of our efforts to transform this park without any help from the LAPD [the police department] or non-profits in Skid Row. While we struggle on a daily basis to keep the positive energy going (hard to do without funding), we are happy with what we have accomplished thus far.

The <u>Skid Row City Limit mural</u>. This mural has become the iconic symbol of Skid Row. I always say, just as people from all over the world go to see the Hollywood sign, they will also come to see this mural, which is another resident-led effort.

Successful businesses in Skid Row: Yxta (on 6th and Central), a Mexican restaurant with full bar and great food! The Escondite (on San Pedro and Boyd) near Little Tokyo. The owners have coined the area "Skidrokyo." Full bar, great food, dog-friendly patio, sports on TV and live music—free, good and LOUD!

[And] 7th Exotic Wheels (Seventh and Central). A successful exotic rim and tire shop for upscale cars. Don't blink if you see a Bentley pull in for service—YES, in Skid Row! Part of what makes these businesses successful is that they are comfortable in knowing that they are in Skid Row, have support *and* respect from our residents and are helping us to make it cool to be *in* Skid Row!!! This is the future mindset that we're building towards!!



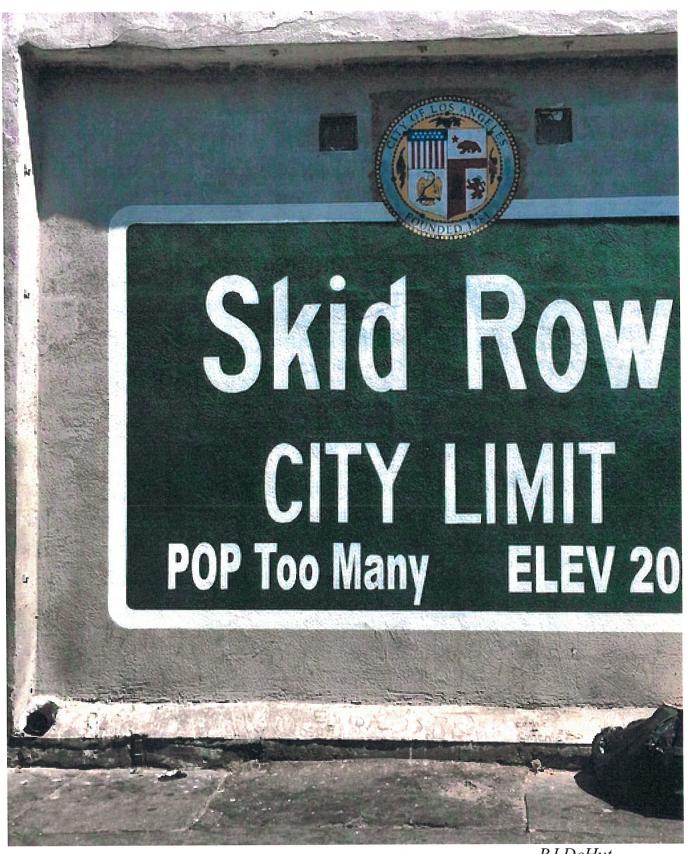
10 Best L.A. Street Art Murals of 2014

BY ISAAC SIMPSON

FRIDAY, DECEMBER 19, 2014 AT 3:42A.M.

SRNC Description:

The "Skid Row City Limit" mural was voted Best LA Street Art mural of 2014 by staff at LA Weekly.



B.J DeHut

1. Winston Death Squad - Skid Row

Much has been written about Skid Row this year, as the gentrification war directed reverse-Barbarians (as *L.A. Weekly*'s Hillel Aron so adeptly put it) toward its rotted gates. The citizens of Skid Row, led by a man named General Jeff, are demanding recognition, even if the image-conscious city and profit-hungry developers want to ignore them. When the city tried to rebrand it as "Central City East," Jeff got local art collective Winston Death Squad to paint a sign marking the neighborhood with its proper name.

"Skid Row is known all over the world," Jeff says. "Yet this is the only place in Skid Row where it actually says Skid Row publicly."



Skid Row Wants Its Own Neighborhood Council

BY JULIET BENNETT RYLAH IN NEWS ON MAY 4, 2015 1:15 PM

A group of Skid Row activists think it's time for Skid Row to have its own neighborhood council, as it

faces unique issues that do not apply to the rest of downtown Los Angeles.

Jeff "General Jeff" Page, a Skid Row activist and former member of the Downtown Los Angeles Neighborhood Council (DLANC), is leading the campaign to establish a Skid Row Neighborhood Council. He will appear tonight at a forum hosted by the Los Angeles Poverty Department at the Skid Row History Museum & Archive with Fred Dewey, a writer and public space activist who co-founded the Neighborhood Councils Movement in 1993.

While neighborhood councils don't have governing power, they are crucial for the public to come together and discuss issues and concerns, organize projects and lobby for change from City Council. Page and other activists say that Skid Row is underrepresented in the <u>DLANC</u>, which it has been a part of since it was formed in 2002. Skid Row has

concerns that may be minimal for other parts of downtown, but huge for Skid Row—like public restrooms, housing and social services.

In an blog on <u>City Watch LA</u>, Page wrote that Skid Row qualifies as a neighborhood because it has "two City-owned parks, a police station, a fire station and obviously by being a well-known area with a distinctive name and having an even more distinct characteristic—being the 'homeless capital of America.'"

He likened downtown to a glazed donut, where the shiny donut part is the rapidly gentrifying downtown, and where Skid Row is the empty hole in the center. The lack of public restrooms for the homeless to use has resulted in "a constant stench of urine and feces," he wrote. Another issue is finding housing for the homeless, and assisting residents in recovery. A recent push to turn the Cecil

Hotel (now known as Stay on Main) into such housing was blocked by residents who feared that a concentrated center of services for the homeless and mentally ill would make problems in the area worse. However, blocking the Cecil Hotel from becoming SRO-housing hasn't.done.much to alleviate any of the problems Skid Row is currently facing. Page thinks a Neighborhood Council to work on issues specific to Skid Row would be helpful, and also inspiring to those who live there, either officially or unofficially.

There is a newfound positive energy in Skid Row these days which breeds hope to its residents. This should be embraced and supported. With the definition of all new SRO low-income affordable housing described as PERMANENT supportive housing, the residents are all but assured that we will not be going anywhere. Therefore, it's time for change. It's time to see Skid Row as a community.

It's time to support the resident's efforts to create a viable neighborhood, even with its negative detractions. It's time to support the creation of the Skid Row Neighborhood Council.

Last summer, Page worked with a group of street artists and photographer Stephen Zeigler to create a "positive Skid Row mural" that addressed the neighborhood by its name, not the softer 'Central City East' moniker that some City offices use.

The forum will be held tonight at the Skid Row History Museum & Archive at 440 S. Broadway from 6:30 to 8 p.m.



MAGAZINE

Skid Row Is Here to Stay

by Tasbeeh Herwees

October 23, 2014

Though the neighborhood has been uncharitably been dubbed "the homeless capital of America," many people in fact, are proud to call Skid Row their home.

Estimates <u>number</u> the population at 10,000, with more than 1,700 others living on the street. Although they've had Skid

Row residents serve on the Downtown Neighborhood
Council—Jeff Page served for three years—activists argue
it's time for their own autonomous political body.
"It's in our best interests as a community to start the Skid
Row Neighborhood Council," says Page. "So myself and a
couple other community leaders are actually rolling up our
sleeves, getting ready to have this fight."

In the meantime, Page, Shaw, Malpede, and their fellow Skid Row residents are creating their own change, starting at the grassroots. In 2008, Page co-founded Operation Facelift Skid Row, the project responsible for cleaning up Gladys Park. The organizers host weekly Skid Row Cleanups and paint murals to brighten up the community. "Instead of talking about Skid Row going away, it's about improving Skid Row where it is today," says Page. "Just like it's improved today [through] events like this, an arts festival that is for the people, of the people, by the people."

Los Angeles Times

Homeless woman died of exposure on skid row sidewalk during El Niño storm

By Gale Holland

January 9, 2016 8:39 PM

"General" Jeff Page, who is organizing a skid row neighborhood council, said officials should use Brown's death as a case study of how to fix the 50-block community.

"Where's the communication with leaders so we can point out those in need?" Page asked.



Move Underway to Create Skid Row Neighborhood Council

By Eddie Kim

Feb 1,

2016

An effort is underway in Skid Row to create a standalone neighborhood council, one that would break out from the current Downtown Los Angeles Neighborhood Council, which has board seats for Skid Row representatives.

"General" Jeff Page, a longtime activist for Skid Row and a former DLANC member, is leading the charge. He said his years at DLANC showed him that the community needs its own leadership body.

"I understand why the DLANC is focused on skyscrapers, top-notch amenities, important business growth, hotel stock, conventions, all that," Page said. "But we are on a totally different level of issues in Skid Row. We weren't on the agenda often enough. And what's coming out of City Hall is not enough. We need to speak up."

The group could find success. In November, the City Council approved a process to subdivide certain neighborhood councils in Los Angeles. Page and members of the Skid Row

Neighborhood Council formation committee plan to file an application this fall.

A public vote to allow a split could take place in early 2017.

—Eddie Kim

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SKID ROW NEIGHBORHOOD COUNCIL BYLAWS -2016-

DRAFT

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ARTICLE I NAME

The name of this Neighborhood Council shall be the Skid Row Neighborhood Council ("Council"). The identifying acronym of said council shall be the SRNC.

ARTICLE II PURPOSE

<u>Principles of Governance</u> - The purpose of the Council is to participate as an advisory body on issues concerning our neighborhood and regarding the governance of the City of Los Angeles ("City") in a transparent, inclusive, collaborative, accountable and viable manner.

A. The **MISSION** of the Council is:

- To provide an inclusive and open forum for public discussion of issues of interest to the Council, including City governance, the needs of the Council, the delivery of City services to the Council area, and other matters of a Citywide nature;
- 2. To advise the City on issues of interest to Skid Row, including City governance, the needs of the Council, the delivery of City services to the Council area, and other matters of a Citywide nature;
- 3. To initiate, execute and support projects for the physical, social and cultural improvement of Skid Row; and
- 4. To facilitate communication between the City and Community Stakeholders on issues of concern to the community and/or the Stakeholders.
- 5. To create a platform for the empowered voice of traditionally disenfranchised residents of Skid Row.

B. The **POLICY** of the Council is:

- To respect the diversity, dignity, and expression of views of all individuals, groups, and organizations within the community and/or involved in the Council;
- 2. To remain non-partisan with respect to political party affiliation and inclusive in our operations including, but not limited to, the process of electing or selecting the Board of Directors, Officers, and committee members, as hereinafter set forth;
- 3. To utilize the Early Notification System (ENS) to inform the Council and Community Stakeholders of matters involving the City and our community in a way that is tailored to provide opportunities for involvement in the decision-making process;
- 4. To encourage all Stakeholders to participate in activities of the Council;
- 5. To prohibit discrimination against any individual or group in our operations on the basis of race, religion, color, creed, national origin, ancestry, sex, sexual orientation, age, disability, marital status, income, homeowner/renter status, or political affiliation; and
- 6. To have fair, open, and transparent procedures for the conduct of all Council business.

ARTICLE III BOUNDARIES

The Council covers a geographic area described below.

Section 1: Boundary Description - The boundaries abut the boundaries of adjacent Neighborhood Councils and include those areas of the City within the following lines of demarcation:

- 1. North 3rd Street- (From Main Street to Alameda Street);
- 2. East Alameda Street- (From 3rd Street to 7th Street);

- 3. **South** 7th Street- (From Alameda Street to Main Street);
- 4. West Main Street- (From 7th Street to 3rd Street).

The boundaries of the Council are set forth in this document in "Attachment A- Map of the Skid Row Neighborhood Council".

Section 2: Internal Boundaries - Not applicable.

ARTICLE IV STAKEHOLDER

Neighborhood Council membership is open to all Stakeholders. "Stakeholders" shall be defined as those who live, work, or own real property in the neighborhood and also to those who declare a stake in the neighborhood as a community interest stakeholder, which is defined as a person who affirms a substantial and ongoing participation within the Neighborhood Council's boundaries and who may be in a community organization such as, but not limited to, educational, non-profit and/or religious organizations.

ARTICLE V GOVERNING BOARD

The Board of Directors (hereinafter "the Board") shall be the Governing Body of the Council within the meaning of that term as set forth in the Plan for a Citywide System of Neighborhood Councils ("the Plan").

Section 1: Composition - The Board shall consist of eleven (11) Stakeholders elected, selected or appointed by the Board. The composition of the Board shall be as follows:

*Resident Definition – Anyone who lives within Skid Row boundaries.

 Resident Board Member (5) – Open to Stakeholders at least 18 years of age. Not open to employees of housing/shelter providers. 3 resident seats shall be reserved for low-income and/or homeless individuals. The two remaining seats shall be open to any resident within our boundaries.

- 2. **Business Board Member (1)** -- Open to Stakeholders at least 18 years of age. Must own a business (not non-profit) or work for a business within Skid Row boundaries.
- 3. Arts & Culture Board Member (1) -- Open to Stakeholders at least 18 years of age. Must produce art and/or cultural material within Skid Row boundaries or with the participation of Skid Row residents.
- 4. **At-Large Board Member (1)** -- Open to Stakeholders at least 18 years of age. Must self-affirm a connection to the Skid Row community.
- 5. Social Service Provider/Faith-Based Board Member (2) -- Open to Stakeholders at least 18 years of age. Must work for a non-profit social service provider within our boundaries or must provide a faith-based service within our boundaries.
- 6. Community Advocate/Social Justice Board Member (1) -- Open to Stakeholders at least 18 years of age. Must actively and publicly engage in social issues pertinent to our community.

No single Stakeholder group shall hold a majority of Board seats unless extenuating circumstances exist and are approved by the Department of Neighborhood Empowerment ("Department").

Section 2: Quorum - The quorum shall be [6] members of the Board. No floating quorums are allowed.

Section 3: Official Actions - A simple majority vote by the Board members present, not including abstentions, at a meeting in which there is a quorum shall be required to take official action, unless specified otherwise in these Bylaws.

Section 4: Terms and Term Limits - Board members shall serve; one Two (2) year term commencing after being seated. There will be a maximum of Four (4) consecutive terms. After which, at least one-year must past before previous Board member can run for election again.

Section 5: Duties and Powers - The primary duties of the Board shall be to govern the Council and to carry out its objectives. No individual member of the Board shall speak for the Board or otherwise publicly represent a Board position. The President shall be the only Board Member who is authorized to speak on behalf of the Board and shall be considered the chief representative of the Skid Row Neighborhood Council.

Section 6: Vacancies – Vacancies on the Board shall be filled using the following procedure:

President Fills Vacancies, with Board Approval

A vacancy on the Board shall be filled by a Stakeholder who satisfies the eligibility requirements for holding the vacated Board seat. The President shall have the discretion to appoint the vacancy from any applicants or among any other qualified Stakeholders at any time, subject to a majority vote of the Board at a public meeting. The appointed applicant's term shall be limited to the term for the vacated seat.

Section 7: Absences - Any Board member who misses [3] regularly scheduled consecutive Neighborhood Council Governing Board meetings during any twelve (12) month period will be automatically removed from the Board. If (3) consecutive meetings are missed, this shall be considered a resignation. Additionally, any Board member who leaves a Board meeting before votes are taken on all items on the agenda (3) times during their term will be automatically removed from the Board. Each Board member absence shall be recorded in the Council's meeting minutes or other manner of Council record keeping, and that, upon missing the qualifying number of Board meetings for removal, the President shall provide official notice to that Board member that their seat has been declared vacant. Any meeting of the full Skid Row Neighborhood Council Advisory Board, scheduled and noticed as per the Brown Act, shall constitute an official meeting for the purpose of determining Board member attendance.

Section 8: Censure - The Council can take action to publically reprimand a Board member for actions conducted in the course of Council business by censuring the Board member at a Council Board meeting. Censures shall be placed on the agenda for discussion and action.

Section 9: Removal of Governing Board Members – The Council shall consult with the Office of the City Attorney throughout any Board removal process. Board members may be removed in the following ways:

- 1. **Petition by Stakeholders** A Board member may be removed from office by the submission of a written petition to the Secretary, which includes; i) the identity of the Board member to be removed, ii) a description, in detail, of the reason for removal, and iii) the valid signatures of fifty (50) Stakeholders (50% of said signatures must be from Stakeholders who can be identified as that seat's constituency).
 - A) Upon receipt of a written petition for removal, the Secretary shall cause the matter to be placed on the agenda for a vote of the Board at the next regular Council meeting.
 - B) Removal of the identified Board member requires a two-thirds (2/3) majority of the attending Board members.
 - C) The Board member who is the subject of the removal action shall have the right to deliver to Board members a written statement about the matter and/or to speak at the Board meeting prior to the vote, but shall not be counted as part of the quorum, nor allowed to vote on the matter.
- 2. **Petition by Board** A Board member may be removed from the Board for good cause, including, but not limited to, disruptive conduct; interfering with Council business; violations of the Bylaws, Operating Procedures or Code of Conduct following a Board member's submission to the Board of a petition which includes: i) The identity of the Board member to be removed, ii) States the reason for removal by identifying the violation of the internal rules or procedures and specifies the conduct of the person, and iii) Contains the signatures of a majority of the remaining Board members. The Board President will not have a vote in this matter.
 - A) The petition shall be delivered simultaneously to all Board members and the matter placed on the agenda and scheduled for a vote at the next regular Board meeting.
 - B) Removal of the identified Board member requires a two-thirds (2/3) majority.
 - C) The Board member who is the subject of the removal action shall have

the right to deliver to Board members a written statement about the matter and/or to speak at the Board meeting prior to the vote, but shall not be counted as part of the quorum, nor allowed to vote on the matter.

If the vote for removal is affirmative, the position shall be deemed vacant and filled via the Council's vacancy clause.

Section 10: Resignation - A Board member may resign from the Council, and the position shall then be deemed vacant. Any member of the Board who ceases to be a Stakeholder eligible for that seat is required to immediately submit his or her resignation to the Board for discussion and action at the next Board meeting. Removal of a Board member no longer eligible for their seat requires a majority of the attending Board members at the Board meeting acting on this matter.

Section 11: Community Outreach - The Council shall direct that a system of outreach be instituted to inform Stakeholders as to the existence and activities of the Council, including its Board elections, to find future leaders of the Council, and to encourage all Stakeholders to seek leadership positions within the Council.

The Council shall maintain an online presence to disseminate information to Community Stakeholders and others interested in the Council.

In addition, the Board shall create, or shall cause to be created, a marketing plan to solicit participation from Stakeholders. The plan may include, for example, the creation of flyers, postcards, pamphlets and other related materials. It may also include e-mail blasts to various organizations including a regularly scheduled e-blast to local government officials and other local organizations as determined by the Board.

Outreach also should be undertaken at public events and shall be coordinated with other Neighborhood Councils when appropriate.

ARTICLE VI OFFICERS

Founder Emeritus: General Jeff is acknowledged to be the Founder Emeritus of the Skid Row Neighborhood Council and is authorized to speak on all issues affecting the SRNC, recognizing that the Executive Committee will have the final word on all policy issues and also recognizing that the Board President is the official spokesperson for the

Council.

Section 1: Officers of the Board - The officers of the Board ("Officers") shall include the following positions which all together comprise the Executive Committee: President, Vice President, Secretary, and Treasurer.

Section 2: Duties and Powers - The duties of the Officers are as follows and also include such additional duties as may be adopted by official action of the Board:

A) The President shall;

- 1. Be the Chairperson of the Board;
- 2. Be an ex-officio member of all committees;
- 3. Be a member of and Chair of the Executive Committee;
- 4. Appoint all committee Chairs.
- Act as the spokesperson for the Council as an official representative to the public media, unless otherwise designated;
- 6. Be a signatory of all official communication for the rest of the Council, all bank notes and contracts;
- 7. Notify the Department of all necessary information of all new Board members, and carry out whatever other duties may be required by the Department.

B) The Vice President shall;

- 1. Serve in place of the President if the President is unable to serve;
- 2. Preside in absence of the President;
- 3. Be the Chairperson of the Elections Committee, and be a member and Vice-Chair of the Executive Committee;
- 4. Be the official timekeeper in all situations requiring time limitations.

C) The Secretary shall;

1. Keep the minutes of all Board meetings. An Alternate Secretary may be appointed by the Board to serve in the absence of the Secretary, as needed. Unless the person serving as Alternate Secretary is already a Board member, he or she shall not have any of the rights of a

Board member, including the right to vote on matters before the Board. Any Stakeholder can be appointed as Acting Secretary by the President in the absence of the Secretary but shall not be counted for purposes of quorum.

- 2. Be responsible to distribute minutes from Board meetings to all Board members no later than two (2) weeks after each Board meeting;
- 3. Be a member of the Executive Committee;
- 4. Act as President in the absence of the President and Vice-President.

D) The Treasurer shall;

- Maintain the records of the Council's finances and books of accounts and perform other duties in accordance with the Council's Financial Management Plan and the Department's policies and procedures;
- 2. Be responsible for all funds expended by the Skid Row Neighborhood Council;
- 3. Receive, disburse and account for all Council funds on behalf of Board and give an updated account of Council finances at every regular Board meeting, or upon request of the President;
- 4. Act as President in the absence of the President, Vice-President and Secretary;
- 5. Serve on the Executive Committee;
- 6. Serve as Chair of the Budget & Finance Committee;
- 7. Be a signatory to all bank notes.

Section 3: Selection of Officers -

Officer positions shall be filled every two [2] years at the first official Board meeting following their election or selection in Board election years, and at the subsequent one (1) year anniversary mark of the Officers' election in Board non-election years.

Section 4: Officer Terms - The Officers shall serve Two (2) year terms and serve at the pleasure of the Board. They may stand for reelection annually.

ARTICLE VII COMMITTEES AND THEIR DUTIES

All Standing and Ad Hoc Committees shall be appointed by the President & ratified by the Board. Suggestions for committees and committee members may come from Stakeholders or from members of the Board, and all such suggestions shall be voted upon by the Board.

Section 1: Standing Committees – The Standing Committees of the Council are;

- 1.) Executive Committee
- 2.) Budget and Finance Committee
- 3.) Outreach and Communications Committee
- 4.) Planning and Land Use Committee
- 5.) Community Issues and Concerns Committee
- 6.) Parks, Environment, Health & Wellness Committee
- 7.) Community Development Committee

Section 2: Ad Hoc Committees – The Board may create Ad Hoc Committees as needed to deal with temporary issues, such as Council elections, Bylaws, specific community-affecting issues, etc.

Section 3: Committee Creation and Authorization

- a. **Committee Authority** All committee recommendations shall be brought back to the full Board for discussion and action.
- b. **Committee Structure** With the exception of the Executive Committee, Committee Chairs, who must be Stakeholders, shall be appointed by the President and ratified by the Board. Standing Committees shall be comprised of at least three (3) Stakeholders, one of which shall be a Board member. Ad Hoc Committees shall be comprised of at least two (2) Stakeholders, one of which shall be a Board member. Chairs of Committees do not need to be Board Members. There shall be no more than nine (9) Committee Members for each committee (Applies to both Standing and Ad Hoc Committees).

- c. **Committee Appointment** All Committee Chairs shall be appointed by the President and confirmed by the Board. The Chairs shall keep a written record of Committee meetings and shall provide regular reports on Committee matters to the Board on a monthly basis.
- d. **Committee Meetings** Committee meetings are subject to and shall be conducted in accordance with the Brown Act. Minutes shall be taken at every Committee meeting.
- e. **Changes to Committees** The Board may establish, disband or make changes as needed to any Standing or Ad Hoc committee. Any such action by the Board shall be noted in the Council meeting minutes.
- f. **Appointment and Removal of Committee Members** Committee members are appointed by the President of the Council. They may be removed by a majority vote of Committee members and are subject to the same rules of civility as the Board.

ARTICLE VIII MEETINGS

All meetings, as defined by the Ralph M. Brown Act (*California Government Code Section 54950.5 et seq.*), shall be noticed and conducted in accordance with the Act and all other applicable laws and governmental policy.

- **Section 1: Meeting Time and Place** All meetings shall be held within the Council boundaries at a location, date and time set by the President. A calendar of regular meetings shall be established by the Board at its first regular meeting of each calendar year.
 - a. **Regular Meetings** Regular Council meetings shall be once per month. Prior to any action by the Board, there shall be a period of public comment. The Board shall determine the length and format of the public comment period, as appropriate and accommodating as possible.
 - b. **Special Meetings** The President or a majority of the Board shall be allowed to call a Special Council Meeting as needed.

Section 2: Agenda Setting -

The Executive Committee shall set the agenda for each Council meeting at the Executive Committee meeting. Executive Committee meetings must happen prior to 72-hour Brown Act agenda posting requirement.

Any Stakeholder can make a proposal for action by the Council by submitting a written request to the Executive Committee to include on the agenda at the next regular Council meeting. The Board shall either consider the proposal or create an Ad Hoc Committee to consider the proposal. The Council is required to consider the proposal at a Committee or Board meeting, but is not required to take further action on the proposal. Proposals made under this subsection are subject to the rules regarding reconsideration

Section 3: Notifications/Postings – Notice of a regular meeting-shall be posted a minimum of three (3) days (72 hours) in advance of the meeting and at least one (1) day (24 hours) in advance of a special meeting. At a minimum, notice shall be posted at the Council's five (5) Public Notice Locations specified on the Posting Location Form filed with the Department, on its website (if applicable) and emailed out to Stakeholders if the Council maintains such a database. Regular and Special meeting agendas shall also be emailed to the Department.

Section 4: Reconsideration

The Board may reconsider or amend its actions through a Motion for Reconsideration process defined in its standing rules. (Standing Rules for the SRNC will be created in a separate document)

ARTICLE IX FINANCES

A. The Board shall review its fiscal budget and make adjustments as needed to comply with City laws and City administrative rules, and to keep in compliance with Generally Accepted Accounting Principles and the City's mandate for the use of standardized budget and minimum funding allocation requirements.

- B. The Board shall adhere to all rules and regulations promulgated by appropriate City officials regarding the Council's finances, where the term "appropriate City officials" means those officials and/or agencies of the City of Los Angeles who have authority over Neighborhood Councils.
- C. All financial accounts and records shall be available for public inspection and posted on the Council website, if available.
- D. Each month, the Treasurer shall provide to the Board detailed reports of the Council's accounts.
- E. At least once each quarter, the President and at least one (1) other individual other than the Treasurer, who is designated by the Board, shall examine the Council's accounts and attest to their accuracy before submitting the documentation to the Department for further review.
- F. The Council will not enter into any contracts or agreements except through the Department.

ARTICLE X ELECTIONS

- **Section 1: Administration of Election** The Neighborhood Council's election will be conducted pursuant to any and all City ordinances, policies and procedures pertaining to Neighborhood Council elections.
- **Section 2: Governing Board Structure and Voting** The number of Board seats, the eligibility requirements for holding any specific Board seats, and which Stakeholders may vote for the Board seats are noted in "Attachment B- Governing Board Structure and Voting".
- **Section 3: Minimum Voting Age** All Community Stakeholders aged 13 and above shall be entitled to vote in the Skid Row Neighborhood Council elections.
- **Section 4: Method of Verifying Stakeholder Status-** Voters will verify their Stakeholder status through written self-affirmation.
- Section 5: Restrictions on Candidates Running for Multiple Seats- A candidate shall declare their candidacy for no more than one (1) position on the Council Board during a

single election cycle.

Section 6: Other Election-Related Language- All eligible candidates must submit a minimum 100-word statement of why they believe they should serve as a member of the Council.

ARTICLE XI GRIEVANCE PROCESS

A. Any grievance by a Stakeholder must be submitted in writing to the President who shall cause the matter to be placed on the agenda for the next regular Council meeting. As an alternative, any grievance may be verbalized and/or submitted in writing to the Board during the Public Comment period of a Board Meeting.

- B. At that meeting, the Board shall refer the matter to an Ad Hoc Grievance Panel comprised of three (3) Stakeholders randomly selected by the Board from a list of Stakeholders who have expressed an interest in serving from time-to-time on such a panel.
- C. Within two (2) weeks of the panel's selection, the Board shall coordinate a time and place for the panel to meet with the person(s) submitting a grievance to discuss ways in which the dispute may be resolved.
- D. Within two (2) weeks following such meeting, a member of the panel shall prepare a written report to be forwarded by the Secretary to the Board outlining the panel's collective recommendations for resolving the grievance. The Board may receive a copy of the panel's report and recommendations prior to a Board meeting, but, in accordance with the Brown Act, the matter shall not be discussed among the Board members until it is heard publicly at the next regular Council meeting.
- E. This grievance process is intended to address matters involving procedural disputes, such as the Board's failure to comply with Board Rules or these Bylaws. It is not intended to apply to Stakeholders who merely disagree with a position or action taken by the Board at one of its meetings, which grievances may be aired publicly at Council meetings.
- F. Board members are not permitted to file a grievance against another Board member or against the Council.

ARTICLE XII PARLIAMENTARY AUTHORITY

The Council shall use the:

Robert's Rules of Order when conducting Council meetings.

Additional rules and/or policies and procedures regarding the conduct of the Board and/or Council meetings may be developed and adopted by the Board, and subjected to approval by the Department prior to implementation.

ARTICLE XIII AMENDMENTS

A. Any Board member may propose an amendment to these Bylaws by requesting that the Secretary place the item on the next regular Council agenda.

- B. Any Stakeholder may propose an amendment to these Bylaws during the public comment period of a regular Council meeting.
- C. Any proposal to amend the Bylaws shall be formalized in writing, given to the President, and noticed on the agenda for public discussion and Board vote at the next regular Council meeting.
- D. An amendment to these bylaws requires a two-thirds (2/3) vote of the Board members present at a duly noticed general or special meeting. All changes shall then be forwarded to the Department for review and approval.
- E. Amendments shall not be valid, final or effective until approved by the Department. Once approved, any changes in the Bylaws shall become effective immediately.

ARTICLE XIV COMPLIANCE

The Council, its representatives, and all Community Stakeholders shall comply with these Bylaws and with any additional Standing Rules or Procedures as may be adopted by the Board of Directors as well as all local, county, state and federal laws, including, without limitation, the Plan for a Citywide System of Government (hereinafter referred

to as "the Plan"), the City Code of Conduct, the City Governmental Ethics Ordinance (*Los Angeles Municipal Code Section 49.5.1*), the Brown Act (*California Government Code Section 54950.5 et seq.*), the Public Records Act, the American Disabilities Act, and all laws and governmental policies pertaining to Conflicts of Interest.

Section 1: Code of Civility – The Council, its representatives, and all Community Stakeholders shall conduct all Council business in a civil, professional and respectful manner at all times during any and all official Board and/or Committee meetings.

Section 2: Training – All Board members shall take training in the fundamentals of Neighborhood Council, including, but not limited to, ethics, funding, workplace violence and sexual harassment trainings provided by the City within forty-five (45) days of being seated, or they will lose their Council voting rights.

Section 3: Self-Assessment – Every year, the Council shall conduct a self-assessment pursuant to Article VI, Section 1 of the Plan.

ATTACHMENT A

Map of Skid Row Neighborhood Council



Los Angeles City Council: 14th District

Fire Station #9: 430 East 7th Street, Los Angeles, CA 90014 (outside of boundaries, but commonly known as Skid Row's Fire Station)

Fire Station #23 (inactive): 225 East 5th Street, Los Angeles, CA 90013 (In 1966, this station was declared a Historic Cultural Monument by the Los Angeles Cultural Heritage Commission. It was added to the <u>National Register of Historic Places</u> in 1980)

LAPD Central Division Police Station: 251 East 6th Street, Los Angeles, CA 90014

San Julian Park: 312 East 5th Street, Los Angeles, CA 90013

Gladys Park: 808 East 6th Street, Los Angeles, CA 90021

DWP Building: 560 South Wall Street, Los Angeles, CA 90013

Department of Mental Health: 529 South Maple Avenue, Los Angeles, CA 90013

ATTACHMENT B

Governing Board Structure and Voting - 11 Board Seats

President, Vice President	Selected	Stakeholder who is at least 18 years of age at the time of the selection.	Not self-affirmed Stakeholder.
Secretary	Selected		Not self-affirmed Stakeholder.
Treasurer	Selected		Not self-affirmed Stakeholder.
Board Seats			
Resident (5)	Elected		Open to Stakeholders at least 18 years of age. Not open to employees of housing/shelter providers. 3 reserved for low-income and/or homeless residents.
Business (1)			Must own a business (not non-profit) or work for a business within Skid Row.
Arts & Culture (1)			Must produce art and/or cultural material within Skid Row or with the participation of Skid Row residents. Open to all with an interest in Skid Row.
At-Large (1)			Open to Stakeholders at least 18 years of age. Must self-affirm a connection to the Skid Row community.
	↓		

Social Service Provider/Faith- Based Board Member (2)	Must work for or run a nonprofit that is located within Skid Row boundaries or provide a faith-based service(s) within the Skid Row boundaries.
Community Advocate/Social Justice Board Member (1)	Must work for or prove affiliation with a community-based advocacy or social justice organization that operates within the boundaries of Skid Row.

CITY OF LOS ANGELES

BOARD OF NEIGHBORHOOD COMMISSIONERS

Leonard Shaffer

Joy Atkinson

Maggie Darett-Quiroz Josh LaFarga Eli Lipmen Eve Sinclair Debra Wehbe

CALIFORNIA



Eric Garcetti MAYOR

DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT

20th FLOOR, CITY HALL 00 NORTH SPRING STREET LOS ANGELES, CA 90012

TELEPHONE: (213) 978-1551 TOLL-FREE: 3-1-1 FAX: (213) 978-1751 E-MAIL: done@lacity.org

GRAYCE LIU

www.Empowerl.A.org

January 11, 2017

Sent Via Email

Re: Skid Row Neighborhood Council Subdivision Application

Dear Skid Row Neighborhood Council Formation Committee (SRNCFC):

Thank you for your submission of a subdivision petition to create a Skid Row Neighborhood Council. The Department of Neighborhood Empowerment (Department) has reviewed the attached application and documents per Section 22.819 the Los Angeles Administrative Code on Neighborhood Council Subdivision and has deemed it sufficient to proceed to the elections phase.

The proposed Skid Row Neighborhood Council must meet the components of a regular Neighborhood Council Certification Application stated in Article III, Section 2 of the Plan for a Citywide System of Neighborhood Councils (Plan), including information on boundaries, bylaws, outreach, financial accountability, and ethics.

Boundaries

Requirement - Boundaries must include a detailed written description of proposed boundaries within the City of Los Angeles, including rationale for drawing the proposed boundaries. The boundaries should be comprised of no less than 20,000 Neighborhood Council stakeholders unless exceptions apply. These exceptions are:

- 1. The proposed area is separated from adjacent communities by significant geographic features; or
- 2. The proposed area is identified by name within any of the 36 adopted Community Plan Areas of the City Planning Department; or
- 3. The proposed area represents a historic, identifiable neighborhood or community that is serviced by City service providers, such as a public library, park, recreation center, fire or police station, or a public school.

Determination - The boundaries submitted by the SRNCFC meet the requirement that the boundaries should comprise at least 20,000 Neighborhood Council stakeholders.

Page 2 of 3
Skid Row
Subdivision Petition Letter

Outreach

Requirement - The outreach process used to identify stakeholders within the proposed Neighborhood Council boundaries must be described in detail and 200-500 signatures from stakeholders that have an interest within the proposed Neighborhood Council boundaries must be submitted and should reflect the broadest array of stakeholders who will actively participate in the proposed Neighborhood Council.

Stakeholder signature petitions must include the stakeholder's first and last name, a contact email and/or phone, type of stakeholder (live, work, own real property or community interest) and the physical address associated with their stakeholdership. The physical address cannot be a post office box. The petition should also include language that states that the stakeholders understand that they are signing to support the creation of a new Neighborhood Council via the subdivision of existing Neighborhood Councils.

<u>Determination</u> - The SRNCFC met the outreach requirement.

Bylaws

Requirement - Bylaws for the proposed Neighborhood Council must be submitted that meet the Plan.

<u>Determination</u> - The SRNCFC submitted bylaws which meet this component of the Plan.

Financial Accountability

Requirement - Standard language for financial accountability and the position of a Treasurer must be included in the petition.

<u>Determination</u> - The SRNCFC met the financial accountability component in the bylaws.

Ethics

Requirement - The proposed Neighborhood Council must acknowledge that all applicable laws of local, state and federal government shall be the minimum ethical standard for a certified Neighborhood Council.

<u>Determination</u> – The SRNCFC met the ethics requirement in the bylaws.

Contacts

Requirement - Pursuant to the subdivision policy, the petition shall identify five stakeholders who are authorized to receive notice and make decisions regarding the subdivision petition, including any bylaw changes.

<u>Determination</u> - The SRNCFC met this requirement in the petition.

Page 3 of 3
Skid Row
Subdivision Petition Letter

Conclusion

The subdivision petition for the Skid Row Neighborhood Council meets all the components of a regular Neighborhood Council Certification Application as stated by the Plan and will move forward to the elections phase.

Next Steps

The Department will now work with the SRNCFC on the following next steps:

- 1. Hold an election within 90 days. The election is to determine stakeholder support of the SRNCFC subdivision petition. Stakeholders of the Historic Cultural Neighborhood Council and Downtown Los Angeles Neighborhood Council will be qualified to vote in the election, which will include a polling location in the proposed Neighborhood Council boundaries and may also include online voting. To ensure maximum outreach, we will be holding the election the first week of April with a final date to be determined with the SRNCFC.
- 2. Set up a webpage on the www.EmpowerLA.org website for the SRNCFC to provide information on the proposed Neighborhood Council and the upcoming election.
- 3. Work with the SRNCFC on any other issues that come up regarding the elections and outreach for the elections.

The Department will notify the Historic Cultural Neighborhood Council (HCNC) and Downtown Los Angeles Neighborhood Council (DLANC) of the SRNCFC subdivision petition with the instruction that while HCNC and DLANC can take a position on the petition, they will not be able to use public funds to advocate for the position.

Please contact Mike Fong at mike.fong@lacity.org or (213) 978-1551 if you have any questions.

Sincerely,

General Manager

cc: Stephen Box, Director of Outreach and Communication Jasmine Elbarbary, Neighborhood Empowerment Advocate Mike Fong, Director of Policy and Government Relations

Attachment: Skid Row Neighborhood Council Subdivision Petition

Subject: Re: Meetings Next week

From: Mayra Alvarez Date: 01/17/2017 05:29 PM

To: Blair Besten

Hi Blair!

I have your dates:

1/20 @ 9am - City Hall (Re: Rosslyn Lofts) 1/24 @ 10:15am - City Hall (Re: Skid Row NC)

Let me know if these work.

Thank you!

Mayra I. Álvarez and Scheduler to

Councilmember José Huizar Executive Assistant 14th District, City of Los Angeles

T (213) 473-7014 F (213) 847-0680 E mayra.alvarez@lacity.org 200 N. Spring Street, Suite 465 Los Angeles, CA 90012

On Thu, Jan 12, 2017 at 9:15 PM, Blair Besten < blair@historiccore.bid > wrote: Thanks for accommodating us.



Blair Besten

Executive Director

209-211 W 5th Street Los Angeles, California 90013

p 213.488.1901

HistoricCore.BID

FOLLOW US ON: facebook / twitter / instagram

24HR HOTI INF:

On Thu, Jan 12, 2017 at 3:09 PM, Mayra Alvarez < mayra.alvarez@lacity.org > wrote:

Hi Blair -

I'll be getting back to you shortly.

Thank you!

Mayra I. Álvarez **Executive Assistant** and Scheduler to



Councilmember José Huizar 14th District, City of Los Angeles

T (213) 473-7014 F (213) 847-0680

E mayra.alvarez@lacity.org 200 N. Spring Street, Suite 465 Los Angeles, CA 90012

On Thu, Jan 12, 2017 at 2:17 PM, Blair Besten < blair@historiccore.bid > wrote: I've been asked to schedule two meetings next week-

The first is more urgent regarding the Rosslyn Lofts with Ruben Islas and me. Anytime next week with Wednesday

being ideal.

And the second one with Michael Delijani, Estela López, and me regarding the Skid Row Neighborhood Council formation process.

Blair Besten Executive Director Historic Core BID

Thank you,

Sent from my iPhone

Entity Details

THIS IS NOT A STATEMENT OF GOOD STANDING

Incorporation Date / 3/3/2017 6334804 File Number: Formation Date: (mm/dd/yyyy) Entity Name: UNITED DOWNTOWN LA, LLC Limited Liability General Entity Kind: Entity Type: Company State: DELAWARE Residency: Domestic

REGISTERED AGENT INFORMATION

Name: DELAWARE INCORPORATORS & REGISTRATION SERVICE, LLC
Address: 301 NORTH MARKET STREET SUITE 1410, FARMERS BANK BLDG
City: WILMINGTON County: New Castle
State: DE Postal Code: 19801
Phone: 302-472-9190

Additional Information is available for a fee. You can retrieve Status for a fee of \$10.00 or more detailed information including current franchise tax assessment, current filing history and more for a fee of \$20.00.

Would you like Status Status, Tax & History Information Submit

Back to Entity Search

Subject: RE: **IMPORTANT UPDATE** Skid Row Neighborhood Council

From: <jacob@newdowntownbrokerage.com>

Date: 04/03/2017 12:04 PM

To: Scott Gray <scott@capitalforesight.com>, Karen Christopherson <Karen@aimanagementco.com>, Estela Lopez <beatus821@gmail.com>, <rdelgadillo@linerlaw.com>

CC: kent hawkins <kent@statewideacqcorp.com>, Elizabeth Peterson <elizabeth@epgla.com>, Jenni Harris <iharris@atlas-cap.com>, Carolyn Leslie <cleslie@atlas-cap.com>, Joanne <jkumamoto@aol.com>, Ellen Endo <ellenendo@yahoo.com>, Josh Albrektson <joshraymd@gmail.com>, Nick Griffin <ngriffin@downtownla.com>. Blair Best <blairbesten@gmail.com>. <robertnewman2@gmail.com>, Rena Leddy <renamastenleddy@yahoo.com>, "Dan Curnow" <dan.curnow@gmail.com>, relissa greer <relissagreer@yahoo.com>, Melissa Martinez <melissa@superiorseafoodco.com>, <jc@downtownventure.com>, Samko General Partnership <samkogp@sbcglobal.net>, <shirley@seawin.com>, Merle Ojiri <MOjiri@yamasafishcake.com>, <rose.park@lanystyle.com>, "miguel nelson" <miguel@marvimon.com>, <nasirk@sbcglobal.net>, Jessica Lall <JLall@ccala.org>, Marie Rumsey <mrumsey@ccala.org>, Tanner Blackman <tblackman@kindelgagan.com>, George Yu <geoyu28@aol.com>, Charlie Woo <charlie@megatoys.com>, Peklar Pilavjian <peklar@live.com>, <daniel@jadeent.com>, <Hal@halbastian.com>, <steve.lee@steleeind.com>, Steven Sharp <ssharp@kindelgagan.com>, Michael Gagan <mgagan@kindelgagan.com>, Christopher Loos <chris@urbanize.la>, James Kang < james.kang@steleeind.com > , Tom Gilmore <TGilmore@gilmoredev.com>, "Carol Schatz" <cschatz@downtownla.com>, DTCommissary <dtcommissary@gmail.com>, "Bob Smiland" <bsmiland@innercityarts.org>, Dilip Bhavnani <dilip@sunscopeusa.com>, Don Steier <donsteier@gslawla.com>, Drew Bauer <DrewBauer@youngsholdings.com>, Ernie Doizaki <edoizaki@kansasmarine.com>, Howard Klein <howard.klein@oceanbeauty.com>, Larry Rauch <|rauch@lacold.com>, Mark Shinbane <marks@ore-cal.com>, Matt Klein <mklein@hbkinv.com>

Attached is a spreadsheet with the list of pre-registered voters from the last election. All of these people have already been sent a login and pin by DONE. For many it is ending up in their spam email box. Please every take a few minutes to look over this list. If you know anyone on the list please follow up with them and make sure they have voted.

Best, Jacob Van Horn New Downtown Brokerage 453 South Spring Street Suite #1023 Los Angeles, California 90013 D 213-232-1617 C 310-321-8818

jacob@newdowntownbrokerage.com www.newdowntownbrokerage.com

Signature deals that improve the community by bridging the transactions gap.

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----- Original Message -----

Subject: RE: **IMPORTANT UPDATE** Skid Row Neighborhood Council

From: "Scott Gray" <scott@capitalforesight.com>

Date: 4/3/17 8:56 am

To: "Karen Christopherson" < Karen@aimanagementco.com >, "Estela

Lopez" <beatus821@gmail.com>, rdelgadillo@linerlaw.com

Cc: "kent hawkins" <kent@statewideacqcorp.com>, "Elizabeth Peterson" <elizabeth@epgla.com>, "Jenni Harris" <jharris@atlas-cap.com>, "Carolyn Leslie" <cleslie@atlas-cap.com>, "Joanne" <jkumamoto@aol.com>, "Ellen

Endo" <ellenendo@yahoo.com>, "Josh Albrektson"

<joshraymd@gmail.com>, "Nick Griffin" <ngriffin@downtownla.com>,

"Blair Best" <blairbesten@gmail.com>, robertnewman2@gmail.com,

"Rena Leddy" <renamastenleddy@yahoo.com>, "Dan Curnow"

<dan.curnow@gmail.com>, "relissa greer" <relissagreer@yahoo.com>,

"Melissa Martinez" < melissa@superiorseafoodco.com >,

jc@downtownventure.com, "Samko General Partnership"

<samkogp@sbcglobal.net>, shirley@seawin.com, "Merle Ojiri"

<MOjiri@yamasafishcake.com>, rose.park@lanystyle.com, "miguel nelson"

<miguel@marvimon.com>, nasirk@sbcglobal.net, "Jessica Lall"

<JLall@ccala.org>, "Marie Rumsey" <mrumsey@ccala.org>, "Tanner Blackman" <tblackman@kindelgagan.com>, "George Yu"

<geoyu28@aol.com>, "Charlie Woo" <charlie@megatoys.com>, "Peklar
Pilavjian" <peklar@live.com>, daniel@jadeent.com, Hal@halbastian.com,
steve.lee@steleeind.com, "Steven Sharp" <ssharp@kindelgagan.com>,

"Michael Gagan" <mgagan@kindelgagan.com>, "Christopher Loos" <chris@urbanize.la>, "James Kang" <james.kang@steleeind.com>, "Tom Gilmore" <TGilmore@gilmoredev.com>, "Carol Schatz" <cschatz@downtownla.com>, "DTCommissary" <dtcommissary@gmail.com>, jacob@newdowntownbrokerage.com, "Bob Smiland" <bsmiland@inner-cityarts.org>, "Dilip Bhavnani" <dilip@sunscopeusa.com>, "Don Steier" <donsteier@gslawla.com>, "Drew Bauer" <DrewBauer@youngsholdings.com>, "Ernie Doizaki" <edoizaki@kansasmarine.com>, "Howard Klein" <howard.klein@oceanbeauty.com>, "Larry Rauch" <lrauch@lacold.com>, "Mark Shinbane" <marks@ore-cal.com>, "Matt Klein" <mklein@hbkinv.com>

It is Monday morningâ¦I am still waiting for my approval and PIN to vote.

Scott W Gray

Director of Operations

Capital Foresight

O: 310-234-9598

C: 909-586-0000

From: Karen Christopherson [mailto:Karen@aimanagementco.com]

Sent: Saturday, April 01, 2017 9:29 PM

To: Estela Lopez

Cc: kent hawkins; Elizabeth Peterson; Jenni Harris; Carolyn Leslie; Joanne; Ellen Endo; Josh Albrektson; Nick Griffin; Blair Best; robertnewman2@gmail.com; Rena Leddy; Dan Curnow; relissa greer; Melissa Martinez; jc@downtownventure.com; Samko General Partnership; shirley@seawin.com; Merle Ojiri; rose.park@lanystyle.com; miguel nelson; nasirk@sbcglobal.net; Jessica Lall; Marie Rumsey; Tanner Blackman; George Yu; Charlie Woo; Peklar Pilavjian; daniel@jadeent.com; Hal@halbastian.com; steve.lee@steleeind.com; Steven Sharp; Michael Gagan; Christopher Loos; James Kang; Tom Gilmore; Scott Gray; Carol Schatz; DTCommissary; jacob@newdowntownbrokerage.com; Bob Smiland; Dilip Bhavnani; Don Steier; Drew Bauer; Ernie Doizaki; Howard Klein; Larry Rauch; Mark Shinbane; Matt Klein Subject: Re: **IMPORTANT UPDATE** Skid Row Neighborhood Council

I registered on Thursday, got an email confirming that I had registered and was told I would get another email once my information was confirmed so

that I could vote. Still nothing

Sent from my iPhone

On Apr 1, 2017, at 9:21 PM, Estela Lopez < beatus 821@gmail.com > wrote:

Everyone,

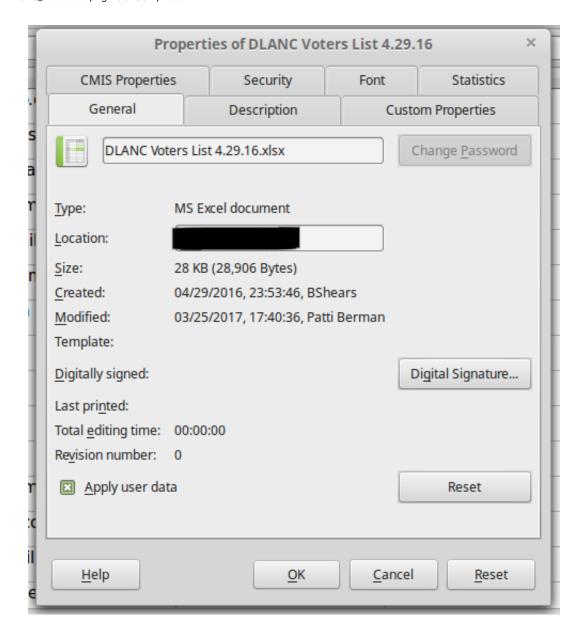
The online registration portal is directing to a page that says registration is now closed. Online registration was to remain open until 11:59pm tomorrow. Several reports of persons wanting to register and being unable to do so. Thanks to Jacob Van Horn for identifying a possible awork around. This link takes you to the registration required fields. If you or anyone you know still needs to register, try this link and let us know if it works:

https://empowerla.everyonecounts.com/app/10027/23399?i=1491106439

Also, Gen. Jeff on Facebook this afternoon: the âformation committeeâ now wants to change the boundaries and remove Main St. and the portion of Little Tokyo. As we understand it, that cannot be done without scrapping this effort and starting over with an entirely new subdivision application. Iâve attached his post.

Estela Lopez

<jeffboundarypost4117.png></jeffboundarypost4117.png>				
- untitled				
new DDWNTOWN brokerage				
HIMMIII				
-Attachments:				
untitled	2.4 KB			
DLANC Voters List 4.29.16.xlsx	33.3 KB			



From:

Rena Leddy

To:

"Rehabitat"

Subject:

RE: Skid Row Subdivision Election Notice Monday, March 27, 2017 9:05:00 AM

Were you registered in the last DLANC Election?

From: Rehabitat [mailto:rehabitat@verizon.net]

Sent: Sunday, March 26, 2017 3:08 PM
To: Rena Leddy <rena@fashiondistrict.org>

Subject: Fwd: Skid Row Subdivision Election Notice

How do I sign up? I never recd this notice.

Check out our blog: GRANDPARENTINGPLUS.BLOGSPOT.COM

Begin forwarded message:

From: Linda Becker < lmbecker 233@gmail.com>

Date: March 24, 2017 at 8:16:46 PM PDT **To:** Laurie Rosen < laurierosen@me.com>

Cc: Debbie Welsch < debbie@capitalforesight.com >, "Laurie Sale (rehabitat@verizon.net)" < rehabitat@verizon.net >, markham1

<markhaml@pacbell.net>

Subject: Re: Skid Row Subdivision Election Notice

Thanks, I didn't get it. What are the pros and cons of them subdividing? Have a great weekend.

xox Linda

On Fri, Mar 24, 2017 at 5:44 PM, Laurie Rosen < laurierosen@me.com > wrote:

Hi Gang

Hoping you all got this email.

Sent from my iPhone

Begin forwarded message:

From: empower la <empowerla@lacity.org>
Date: March 24, 2017 at 5:41:14 PM PDT

To: undisclosed-recipients:;

Subject: Skid Row Subdivision Election Notice

Dear Neighborhood Council Voter,

You are receiving this email because you were a registered voter in the 2016 Neighborhood Council elections for either the

Client Name and Contact Info			Total Payments			
UNITED DOWNTOWN 633 W 5th St, Ste 3200 Los Angeles, CA 90071 (213) 228-8484		\$45,010.40				
Municipal Legislation / Projects						
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount			
Skidrow Housing Trust Neighborhood Council		City Attorney, Office of; City Council; Planning, City	\$45,010.40			

Report to the Los Angeles City Ethics Commission about violations of the municipal lobbying ordinance in relation to the Skid Row Neighborhood Council

May 9, 2017

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¹Note that blue text indicates clickable links internal to this document whereas purple text indicates clickable links to resources on the Internet.

1 Synopsis

- 1. In March 2017 a number of property owners in Downtown Los Angeles formed an LLC called United DTLA and hired Rockard Delgadillo and Liner LLP to lobby on their behalf against the formation of a new Skid Row Neighborhood Council.
- 2. As part of this effort, Delgadillo and Liner lobbyist Matthew Nichols lobbied the City Council and other City agencies to allow online voting for the subdivision election.
- 3. Neither Liner nor Nichols listed United DTLA as a client on any of the paperwork required of them by the CEC. Furthermore Delgadillo is not registered with the CEC as a lobbyist although it is at least plausible that as a result of his work on this matter he was required to have registered.

2 Background

- 1. In December 2016 the Skid Row Neighborhood Council-Formation Committee ("SRNC-FC") applied to the Los Angeles City Department of Neighborhood Empowerment ("DONE") for the formation of a Skid Row Neighborhood Council ("SRNC").
- 2. DONE is overseen by the Board of Neighborhood Commissioners ("BONC").
- 3. The application was made under a new and untested law allowing new neighborhood councils to be subdivided from the territory of old ones under certain conditions. The chair of the SRNC formation committee is "General" Jeff Page.
- 4. The main existing neighborhood council in whose territory the proposed SRNC lies is the Downtown Los Angeles Neighborhood Council ("DLANC"). DLANC's president is Patti Berman.
- 5. The territory of the proposed SRNC overlaps the territory of a number of business improvement districts ("BIDs") in Downtown Los Angeles. Chief among these are the Fashion District BID ("FDBID") and the Downtown Industrial District BID ("DID"), which is administered by the Central City East Association ("CCEA"). The executive directors of the FDBID and the CCEA are Rena Leddy and Estela Lopez, respectively.
- 6. Liner LLP ("Liner") is a lobbying firm registered with the Los Angeles City Ethics Commission ("CEC"). Matthew Nichols is a registered lobbyist employed by Liner. Rockard "Rocky" Delgadillo is an attorney employed by Liner. He is not registered as a lobbyist with the CEC.

3 Facts

3.1 United DTLA

7. United Downtown LA ("United DTLA") is a limited liability company incorporated in Delaware on March 3, 2017 with file number 6334804. See Exhibit 1, page 8.

3.2 Council File 15-1022-S2

- 8. The Los Angeles City Council has been deliberating over whether to allow online voting in neighborhood council elections since about November 2016. The associated Council File is CF 15-1022-S2.
- 9. On March 22, 2017 the Rules and Elections Committee recommended that DONE be directed to allow online voting in the SRNC election (but in no other neighborhood council elections). See Exhibit 2, page 10.
- 10. On March 28, 2017 the Los Angeles City Council adopted the recommendation of the Rules and Elections Committee with respect to online voting for the SRNC election. See Exhibit 3, page 13.

3.3 Rockard Delgadillo

- 11. On March 17, 2017 Rockard Delgadillo wrote to BONC challenging various aspects of the SRNC Formation Committee's application to DONE. This 10 page letter was written on Liner letterhead and stated that "[t]his firm represents United Downtown LA." (see Exhibit 4, page 15).
- 12. In this letter Delgadillo also asked BONC to allow online voting for the SRNC. He also sent this letter to the City Council, where it ended up in the Council File on online voting in neighborhood council elections (CF 15-1022-S2). This version of the letter contained a marked up copy of the petitions that the SRNC Formation Committee submitted in support of its application to DONE.² These markings allegedly support Delgadillo's contention that the petitions contain duplicate signatures.
- 13. On March 20, 2017 Rena Leddy emailed a number of property owners in the FDBID, attaching a copy of Delgadillo's letter and informing them that some downtown property owners were opposing the SRNC and that they "...have formed an entity that engaged Rocky for this effort. The group is called United Downtown LA LLC." (see Exhibit 5, page 26).
- 14. On March 20, 2017 Rockard Delgadillo attended a meeting of BONC and made a public comment on the topic of neighborhood council subdivision elections. See Exhibit 6 (page 28).³
- 15. On March 22, 2017 Rockard Delgadillo attended a meeting of the City Council's Rules and Elections Committee and spoke on online voting in neighborhood council elections. His speaker card identified him as an employee of Liner and as a paid representative of United DTLA. See Exhibit 7, page 31).

 $^{^2\}mathrm{I}$ am not including this version of the document in this report because of its size, but it is available directly from the Council File: <code>http://clkrep.lacity.org/onlinedocs/2015/15-1022-S2_misc_n_03-22-17.pdf</code>.

³In order to save space I have only included the relevant pages of the minutes in this document. The complete record is available directly from BONC at http://empowerla.org/wp-content/uploads/2012/03/Board-of-Neighborhood-Commissioners-Regular-Meeting-Minutes-03.20.17-APPROVED.pdf

3.4 Matthew Nichols

- 16. On February 15, 2017 DONE held a town hall meeting on the SRNC formation effort. Matthew Nichols attended this meeting. See Exhibit 8 for a photograph of Nichols at this meeting. Katherine McNenny, a SRNC-FC Community Liason, also attended this meeting and can testify to Nichols's presence. She can be reached at katherine.trees@yahoo.com.
- 17. On March 22, 2017 Matthew Nichols attended a meeting of the City Council's Rules and Elections Committee and spoke on the issue of online voting in neighborhood council elections. On his speaker card he identified himself as an employee of Liner and identified his client as United DTLA. See Exhibit 9, page 35.
- 18. On March 28, 2017 "General" Jeff Page gave a presentation to the DID about the SRNC (see Exhibit 10, page 37). Matthew Nichols attended this meeting. Page can testify to Nichols's presence at this meeting. He can be reached at issuesandsolutions@yahoo.com.
- 19. On March 29, 2017 DONE held a town hall meeting on the SRNC formation effort. Matthew Nichols attended this meeting. See Exhibit 11 for a photograph of Nichols at this meeting. This photo is a screen capture from an edited video recording of the meeting which is available on YouTube at https://www.youtube.com/watch?v=OeaAm-R4_VQ. Katherine McNenny also attended this meeting and can testify to Nichols's presence. She can be reached at katherine.trees@yahoo.com.
- 20. As a lobbyist registered with the CEC, Matthew Nichols is required by LAMC §48.08(B) to file a quarterly report. His Q1 report was filed on April 28, 2017 and did not list United DTLA as a client. See Exhibit 12, page 41.

3.5 Liner LLP

- 21. Liner is a lobbying firm required by LAMC §48.07(A) to register with the CEC. Liner filed an amended registration form on April 27, 2017 which did not list United DTLA as a client. See Exhibit 13, page 44.
- 22. Liner is required by LAMC §48.08(A) to file quarterly reports with the CEC. Liner filed a report for the first quarter of 2017 on April 28, 2017 which did not list United DTLA as a client. See Exhibit 14, page 56.

4 Conclusions

4.1 CF 15-1022-S2

23. Based on the facts enumerated above in Section 3.2 the City Council's decision to allow online voting in the SRNC election is municipal legislation as defined in LAMC §48.02.

4.2 Liner LLP

- 24. Liner employees Rockard Delgadillo and Matthew Nichols carried out extensive lobbying activity on behalf of United DTLA, as shown above in Section 3.3 and Section 3.4. This lobbying activity was related to attempts to influence municipal legislation as shown above in Section 4.1. Given the extent of this work it is implausible that Liner was not entitled to receive \$250 or more for conducting it. If Liner received \$250 or more they are required by LAMC §48.07(A) to register United DTLA as a client with the CEC. Liner failed to do so as shown above in Section 3.5, and therefore violated LAMC §48.07(A).
- 25. Liner was required by LAMC §48.08(C)(3) to include information about its client United DTLA on its quarterly report for the first quarter of 2017. They failed to do so as shown above in Section 3.5, and therefore violated LAMC §48.08(C)(3).

4.3 Matthew Nichols

- 26. Matthew Nichols lobbied on behalf of United DTLA during March 2017 by attending and speaking at City meetings as shown above in Section 3.4. Therefore he was required by LAMC §48.08(B)(13) to disclose United DTLA as a client on his Q1 report to the CEC. He did not do so and therefore violated LAMC §48.08(B)(13).
- 27. Matthew Nichols conducted lobbying activity in February 2017 as shown above in Paragraph 16. He did not report his client as required. His client could not have been United DTLA, because that entity wasn't created until March 3, 2017 (see Paragraph 7 above).

4.4 Rockard Delgadillo

28. The facts adduced above in Section 3.3 regarding Rockard Delgadillo's lobbying activities on behalf of United DTLA are not sufficient to conclude that he was compensated for 30 or more hours over three consecutive months. Therefore, given this evidence, it's not possible to state conclusively that he violated LAMC §48.07(A) by failing to register with the CEC as a lobbyist. However, given the extent of the research necessary to compose his letter to BONC (Exhibit 4, page 15) and the number of meetings he monitored or spoke at it's plausible that he was.

5 Requested action

- 29. I request that, based on the facts I've provided and others that may come to light, the CEC determine whether or not Liner LLP and/or Matthew Nichols violated the MLO and, if they did, to see that they are called to account for their violations.
- 30. I request that the CEC investigate Rockard Delgadillo's lobbying activity on behalf of United DTLA in order to determine whether he violated the MLO by failing to register as a lobbyist and, if he did, to see that he is called to account for his violation.

31.	I request that the CEC require Matthew Nichols and/or whose behalf he conducted lobbying activity in February 2	Liner to reveal the client on 2017 (see Paragraph 27).

- 6 Exhibits
- 6.1 Exhibit 1 Incorporation details for United DTLA

Entity Details THIS IS NOT A STATEMENT OF GOOD STANDING Incorporation Date / 3/3/2017 6334804 File Number: Formation Date: (mm/dd/yyyy) Entity Name: UNITED DOWNTOWN LA, LLC Limited Liability General Entity Kind: Entity Type: Company State: DELAWARE Residency: Domestic REGISTERED AGENT INFORMATION Name: DELAWARE INCORPORATORS & REGISTRATION SERVICE, LLC Address: 301 NORTH MARKET STREET SUITE 1410, FARMERS BANK BLDG WILMINGTON County: **New Castle** City: State: DE Postal Code: 19801 Phone: 302-472-9190 Additional Information is available for a fee. You can retrieve Status for a fee of \$10.00 or more detailed information including current franchise tax assessment, current filing history and more for a fee of \$20.00. Would you like Status Status, Tax & History Information Submit Back to Entity Search

6.2 Exhibit 2 – March 22, 2017 Report from Rules and Elections Committee on online voting RULES, ELECTIONS, INTERGOVERNMENTAL RELATIONS, AND NEIGHBORHOODS COMMITTEE REPORT relative to online voting pilot for Neighborhood Council elections.

Recommendations for Council action:

- INSTRUCT and AUTHORIZE the Department of Neighborhood Empowerment (DONE) and the City Clerk to enable the online voting platform for the April 2017 Neighborhood Council Subdivision election for the Downtown area (this should not change the existing suspension of online voting in any other area, until the issues in DONE's report and the factors that led to the suspension can be further discussed).
- INSTRUCT the City Clerk to keep Council file (C.F.) No. 15-1022-S2 active and the DONE report dated January 7, 2017 on file pending potential further discussion and evaluation by the Rules, Elections, Intergovernmental Relations, and Neighborhoods (REIGN) Committee.
- 3. INSTRUCT DONE to report to REIGN Committee with a recap of online voting for the April 2017 Subdivision elections, along with recommendations, if any, from that experience.

<u>Fiscal Impact Statement</u>: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: Yes.

Downtown Los Angeles Neighborhood Council
Greater Valley Glen Neighborhood Council
Los Feliz Neighborhood Council
Studio City Neighborhood Council
West Los Angeles Neighborhood Council
Bel Air-Beverly Crest Neighborhood Council
Lake Balboa Neighborhood Council
Silver Lake Neighborhood Council
Harbor Gateway Neighborhood Council
Glassell Park Neighborhood Council
Palms Neighborhood Council
Valley Village Neighborhood Council
South Robertson Neighborhood Council
Greater Wilshire Neighborhood Council

SUMMARY

At a special meeting held on March 22, 2017, the REIGN Committee considered a DONE report dated January 7, 2017 relative to an online voting pilot for Neighborhood Council elections.

The DONE General Manager addressed the Committee on the matter and responded to related questions. During further discussion, the Committee Vice-Chair inquired regarding the

Subdivision election for the formation of a Skid Row Neighborhood Council in the Downtown area and the use of online voting for this election, especially in light of past issues with online voting. The General Manager reported on the systems in place to conduct the election using the online voting platform and advised the Committee that no problems are anticipated by DONE.

After consideration, and after providing an opportunity for extensive public comment, the Committee Vice-Chair submitted moved that DONE and City Clerk be instructed to move forward with online voting for only the Subdivision election for the Downtown area, and that C.F. No. 15-1022-S2 and DONE's report on the file be continued in Committee for further discussion. Lastly, DONE was instructed to report back to the Committee after the April 2017 election with a recap and recommendations, if any, from that election. This matter is now forwarded to the Council for its consideration.

Respectfully Submitted,

RULES, ELECTIONS, INTERGOVERMENTAL RELATIONS, AND NEIGHBORHOODS COMMITTEE

MEMBERVOTEWESSON:YESHUIZAR:YESHARRIS-DAWSON:YES

REW 3/23/17 FILE NO. 15-1022-S2

-NOT OFFICIAL UNTIL COUNCIL ACTS-

6.3 Exhibit 3 – March 28, 2017 Council action on online voting

HOLLY L. WOLCOTT CITY CLERK

SHANNON D. HOPPES EXECUTIVE OFFICER

City of Los Angeles



OFFICE OF THE CITY CLERK

Council and Public Services Division

200 N. SPRING STREET, ROOM 395 LOS ANGELES, CA 90012 GENERAL INFORMATION - (213) 978-1133 FAX: (213) 978-1040

BRIAN E. WALTERS DIVISION CHIEF

CLERK.LACITY.ORG

When making inquiries relative to this matter, please refer to the Council File No.: 15-1022-S2

OFFICIAL ACTION OF THE LOS ANGELES CITY COUNCIL

March 28, 2017

Council File No.: 15-1022-S2

Council Meeting Date: March 24, 2017

Agenda Item No.: 11

Agenda Description: RULES, ELECTIONS, INTERGOVERNMENTAL RELATIONS, AND

NEIGHBORHOODS COMMITTEE REPORT relative to online voting pilot for

Neighborhood Council elections.

Council Action: RULES, ELECTIONS, INTERGOVERNMENTAL RELATIONS, AND

NEIGHBORHOODS (REIGN) COMMITTEE REPORT - ADOPTED

Council Vote: YES BOB BLUMENFIELD

ABSENT MIKE BONIN YES JOE BUSCAINO

YES GILBERT A. CEDILLO
ABSENT MITCHELL ENGLANDER

YES MARQUEECE HARRIS-DAWSON

YES JOSE HUIZAR
YES PAUL KORETZ
NO PAUL KREKORIAN
YES NURY MARTINEZ
YES MITCH O'FARRELL
YES CURREN D. PRICE
YES DAVID RYU

YES DAVID RYU YES HERB WESSON

HOLLY L. WOLCOTT

Lay Zutha

6.4 Exhibit 4 – Rockard Delgadillo's March 17, 2017 letter to BONC



LINER

March 17, 2017

633 W. 5th Street | 32nd Floor Los Angeles, CA 90071,2005

213,694,3100 main 213.694.3101 fax

Rockard J. Delgadillo 310.500.3612 direct rdelgadillo@linerlaw.com

VIA E-MAIL AND U.S. MAIL

Leonard Shaffer, President Joy Atkinson, Vice President Eli Lipmen, Commissioner Josh LaFarga, Commissioner Debbie Wehbe, Commissioner Maggie Darett-Quiroz, Commissioner Eve Sinclair, Commissioner City of Los Angeles Department of Neighborhood Empowerment 200 North Spring Street, Suite 2005 Los Angeles, California 90012

RE: **Downtown Neighborhood Council Separation**

Dear President Shaffer and Honorable Commissioners:

This firm represents United Downtown LA ("United Downtown"), a group founded on the principle that a united Downtown Los Angeles is fundamental to making each neighborhood stronger and improving the quality of life for all of us. United Downtown is focused on preventing the resurgence of a decades-long failed policy of community isolation in Downtown Los Angeles and ensuring high standards of integrity for the City's democratic election process. This unity is ever more important in the wake of the passage of Measures HHH and H which should provide a once-in-a-lifetime funding opportunity for generational change to benefit the residents of a united Downtown Los Angeles. In this regard, on behalf of United Downtown, we wish to bring to the attention of the Board of Neighborhood Commissioners ("Commission"), in its role as the policy-setting and oversight commission for the City's "Neighborhood Councils" and the Department of Neighborhood Empowerment ("DONE"), the submitted material deficiencies relating to the hastily produced subdivision petition and election process to form what would be a new, separate subdivision Neighborhood Council called the Skid Row Neighborhood Council ("SRNC"). These procedural defects, outlined in detail in this letter, left uncured, would result in a violation of Los Angeles Municipal Code ("LAMC") Section 22.819 and a misinformed, exclusionary and unrepresentative election for the proposed SRNC.

On this basis we strongly urge the Commission to delay any election approving the SRNC subdivision under the LAMC Section 22.819(b) until a proper and fair election process can be ensured. As the first ever exercise of the right to petition for a Neighborhood Council "subdivision" in the City of Los Angeles ("City"), it is critical that the Skid Row Neighborhood Council Formation Committee's ("SRNC Formation Committee") follow, and that the Commission enforce, those regulations and policies applicable to neighborhood council subdivision applications.

I. <u>DONE LACKED AUTHORITY TO APPROVE THE SRNC SUBDIVISION PETITION AS THE PETITION FAILS TO COMPLY WITH THE REQUIREMENTS OF THE PLAN FOR A CITYWIDE SYSTEM OF NEIGHBORHOOD COUNCILS</u>

Under LAMC Section 22.819(a), DONE only possesses authority to approve a subdivision petition for a separate certified Neighborhood Council within the boundaries of existing certified Neighborhood Councils if "the subdivision petition complies with the components of a Certification Application stated in Article III, Section 2 of the Plan for a Citywide System of Neighborhood Councils..."

The Plan for a Citywide System of Neighborhood Councils ("Plan") provides that "a certification application shall, at a minimum, include" (Plan, Article III, Section 2, italics added) the following components, among others:

- A detailed description of proposed boundaries. (Plan, Article III, Section 2 (a).)
- Proof the proposed boundaries would represent a population greater than 20,000 residents within the desired neighborhood boundary, or, if less than 20,000, that additional specific criteria are met. (Plan, Article III, Section 2 (a).)
- Signatures from 200-500 community stakeholders. (Plan, Article III, Section 2
 (b).)
- Prepare a complete set of bylaws. (Plan, Article III, Section 2 (c).)

President Shaffer and Honorable Commissioners

March 17, 2017

Page 3

As described in this section, the materials submitted to DONE in connection with the subdivision petition for

the SRNC were not complete based on these requirements. Accordingly, DONE was prohibited from

approving the incomplete petition pursuant to LAMC 22.819(a).

A. SRNC FORMATION COMMITTEE'S SUBDIVISION PETITION DID NOT IDENTIFY

SPECIFIC BOUNDARIES FOR THE PROPOSED SRNC

A clear requirement set forth in the Plan for subdivision petitions is a "detailed description of proposed

boundaries." (Plan, Article III, Section 2 (a).) Here, the SRNC Formation Committee submitted an

application ("SRNC Application") describing the boundaries of the proposed SRNC as follows (see SRNC

Application, Section 2):

North: 3rd Street

South: 7th Street

East: Alameda Street

West: Main Street

A map depicting these boundaries was also provided (attached hereto as Exhibit A). Neither the description

nor the map shows which sides of 3rd, 7th, Alameda and Main Streets are included within the boundaries.

Instead a rough line is drawn over the street and the public is left to wonder whether both sides of the

streets are included or just one. This runs contrary to the "detailed description" mandated by the Plan and

the clear example provided on DONE's application form: "North: Main Street (south side of the street)

between Maple Avenue and 43rd Street." (Italics added.)

United Downtown is concerned based on the fact that the initial SRNC Application did not describe specific

boundaries and that we understand Wikipedia was the primary source being relied upon to determine the

boundaries. Not only does this render the entire SRNC Application incomplete, it also leaves incredible

uncertainty as to who the stakeholders are for the upcoming voter election. DONE did not have the

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authority to approve the SRNC Application without specific boundaries and the SRNC Application process should be delayed to protect the integrity of any election.

B. THE BOUNDARIES WOULD REPRESENT A POPULATION OF LESS THAN 20,000
RESIDENTS AND THE SRNC FORMATION COMMITTEE'S SUBDIVISION PETITION
DID NOT INCLUDE PROOF OF THAT CRITERIA UNDER ARTICLE III, SECTION 2 (A)
OF THE PLAN IS SATISFIED

As part of providing a detailed description of the boundaries, the Plan requires that a subdivision petition demonstrate the proposed boundaries contain "no less than 20,000 Neighborhood Council Community Stakeholders." (Plan, Article III, Section 2 (a).) A proposed area that consists of less than 20,000 Neighborhood Council Community Stakeholders may only be approved if the following criteria are established:

- The proposed area is separated from adjacent communities by significant geographic features; or,
- The proposed area is identified by name within any of the 36 adopted Community Plan Areas of the City Planning Department; or,
- The proposed area represents a historic, identifiable neighborhood or community that is serviced by City service providers, such as a public library, park, recreation center, fire or police station, or a public school.

The SRNC Application states that the SRNC area contains at least 20,000 stakeholders (see SRNC Application, Boundaries.7.), while at the same time failing to provide an estimate of the total as required, instead simply writing "unknown." (See SRNC Application, Boundaries.9.) This does not comply with the Plan. At the very least, government approved census tracts should be referenced in demonstrating compliance with the minimum population size requirement.

C. WHETHER OR NOT THE SRNC FORMATION COMMITTEE PROVIDED A SUFFICIENT NUMBER OF COMMUNITY STAKEHOLDER SIGNATURES IS IN QUESTION DUE TO THE LACK OF A TRANSPARENT VERIFICATION METHOD AND A NUMBER OF POSSIBLE DUPLICATE SIGNATURES

As part of the outreach process, the Plan requires the collection of "no less than 200 and no more than 500 signatures from stakeholders that have an interest within the proposed Neighborhood Council boundaries." (Plan, Article III, Section 2 (b).) Such signatures must "reflect the **broadest array** of Community Stakeholders who will actively participate in the proposed Neighborhood Council." (*Id.*)

United Downtown understands that a total of 500 signatures were submitted on a rolling basis in connection with the subdivision petition for the SRNC. The SRNC, however, provides no specific procedure for verifying that these are indeed stakeholders in the proposed SRNC boundaries, an area where many people lack addresses, phone numbers and email addresses. Rather, the SRNC Formation Committee claims to have used a "self-affirmation' outreach process to determine each of [its] community's stakeholders" and "use 'advance knowledge' in knowing [its] neighbors." Of the submitted signatures, an overwhelming majority merely state "6th & San Pedro" as the address with no email, phone number, or any kind of description identifying the basis of their stakeholder eligibility. Consequently, since there exists a substantial number of business and property owners in the proposed SRNC boundaries, we find it difficult to confirm that the signatures "reflect the broadest array of Community Stakeholders who will actively participate in the proposed Neighborhood Council" required under the Plan. We find this verification process less than adequate.

Our research also highlights an additional fact that calls into question the legitimacy of the signatures collected by the SRNC Formation Committee. Our research identifies at least 16 duplicate signatures which should be removed from the count total. (See Exhibit B). In light of the Plan requirements for providing valid signatures, and the existence of multiple duplicate signatures, the Commission should require a demonstration that the provided signatures meet the requirements of validity.

D. SRNC FORMATION COMMITTEE'S SUBDIVISION PETITION DID NOT INCLUDE A VALID SET OF BYLAWS

As part of the subdivision petition, the SRNC Formation Committee provided draft bylaws dated 11-2-16. However, the SRNC Formation Committee informed legitimate stakeholders that these bylaws are just a placeholder and will be substantially changed. As bylaws are a key component of Neighborhood Councils, the SRNC Formation Committee should be required to submit a draft which is indicative of the ultimate set of bylaws to be adopted. As the draft stands now, we have almost no certainty as to how this subdivided Neighborhood Council will be governed. The governance issues remain critical to an informed electorate of stakeholders eligible to vote in this election.

II. THE ELECTION AS PROPOSED IS NOT IN COMPLIANCE WITH WELL-ESTABLISHED ELECTION PROCEDURAL REQUIREMENTS IN THE CITY FOR NEIGHBORHOOD COUNCIL ELECTIONS

The proposed election process for the SRNC election was discussed in detail at the City meetings on February 15 and March 9, 2017, as shown on the meeting Agendas attached hereto as Exhibit C. At the meeting the DONE officials present at the meeting stated that the election would be held on April 6, 2017, following a series of three informative community meetings concerning the election and the proposed SRNC (the third and final meeting is set for March 29, 2017). For the reasons set forth below, we are concerned the election process as proposed would violate the election procedures under the Plan and LAMC.

A. <u>IDENTIFYING ELIGIBLE VOTERS BASED ON THE LACK OF SPECIFIED</u> <u>BOUNDARIES IS IMPOSSIBLE</u>

To form a "subdivision" an election must be held in which a "majority of the voters from the entire Neighborhood Council or Neighborhood Councils being subdivided must approve the subdivision in order to create the new Neighborhood Council." (LAMC Section 22.819(b).) To qualify as an eligible voter, an

individual must be "a stakeholder in the proposed area for subdivision or in any of the Neighborhood Councils that are proposed for subdivision.' (Id., italics added.)

As discussed above, since we do not know the true boundaries of the proposed SRNC, it is impossible to determine the eligible voter pool. Because the stakeholders within the entire area of any Neighborhood Council whose boundaries are affected by the SRNC would be entitled to vote, a slight deviation in the boundaries of the SRNC could trigger multiple other Neighborhood Council areas which would be entitled to a vote. To proceed with an election without knowing who qualifies as an eligible voter would be a violation of the LAMC and Plan.

B. THE ELECTION AS PROPOSED WOULD NOT BE EQUITABLE AND WOULD RESULT IN AN EXCLUSIONARY EFFECT ON MANY ELIGIBLE VOTERS

As set forth in DONE's Report to City Council, dated February 28, 2017 ("DONE Report," attached hereto as Exhibit D), relative to improving the Neighborhood Council elections voting environment, there are a multitude of serious deficiencies in the current election scheme. To remedy the situation, for the 2017/2018 fiscal year Neighborhood Council Elections, the City Clerk will be administering the elections, including the training of polling location staff and the processing of election challenges, while DONE focuses on outreach to candidates and voters. The DONE Report makes clear our concerns in this instance over an election which is proposed to be administered by DONE, with inadequate resources. This is especially troubling for the first-ever Neighborhood Council subdivision petition in the City's history. In line with the DONE Report, we believe it is necessary to postpone the election on the SRNC formation until after the implementation of the improvements outlined in the DONE Report to ensure a fair and equitable election.

President Shaffer and Honorable Commissioners March 17, 2017 Page 8

Per the City's March 9th SRNC Formation Committee/Town Hall meeting, the location for the election has been determined by the SRNC Formation Committee to be: James Wood Community Center, 400 East 5th Street, Los Angeles, CA, 90013. The hours for the election have been strictly limited to 3pm – 7pm on Thursday, April 6th. Unlike other Neighborhood Council elections, no Vote by Mail or online voting is permitted.

For many reasons, the current arrangement will not properly serve the anticipated number of voters (coming from multiple different Neighborhood Councils and stakeholder groups) and would have a material exclusionary effect on eligible voters. This is further compounded by the fact that the selected location, which was unilaterally determined by the SRNC Formation Committee, is not an easily accessible polling site and will likely result in many voters opting not to vote in person at the location. Based on a large number of anticipated voters, we believe it is critical that multiple facilities be provided on election day and that they remain open for longer than four hours. Such facilities might include the Los Angeles Public Library at 630 W. 5th St., Los Angeles, CA 90071 which has been used in past Neighborhood Council elections due to its central location and ease of accessibility. Additionally, as expressed at the March 9th meeting, the selected time of 3pm – 7pm, which excludes the lunch hour and morning, will make it extremely difficult for employees who work during standard hours to vote. The hours should be adjusted to include the morning and lunch hours so that employee stakeholders in the area have the opportunity to participate in the election.

For this election, in addition to the improvements to be implemented under the DONE Report, we ask that the Commission request resources from the City to offer on-line voting as well as Vote by Mail. According to the City Clerk, online voting and Vote by Mail have proven to be great voting mechanisms to increase participation in these important elections. Such additional resources are necessary to ensure a fair and proper election. The Commission should also institute specific procedures to certify that voters provide proof of eligibility, that proof of stakeholder status for community interest stakeholders is consistent and substantially equivalent to the evidentiary proof required of stakeholders who live, work, or own property in the area.

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United Downtown's concerns over this particular election have been echoed by others in the community (See Handal, Skid Row Voting: It's Time for President Wesson to Keep His Word and Fix the NC System, CityWatch (Mar. 6, 2017). For the aforementioned reasons, holding the election on April 6 is rushed, premature and will necessarily call into question the legitimacy of any election result. The prudent course is to postpone this election until the City Clerk can ensure this election of first-impression in the City is conducted in an equitable and just manner and that the SRNC, should it be formed, is not later subject to challenge.

C. THE CITY HAS NOT BEEN A NEUTRAL ACTOR IN THIS ELECTION PROCESS

The Neighborhood Council Election Manual (revised April 29, 2016) states the following in connection with campaigning for elections: "The use of the City of Los Angeles Seal, the Department, City Clerk or Neighborhood Council logo or any other official Neighborhood Council designation created by the Department is prohibited for use on candidate materials." (Neighborhood Council Election Manual, Election Procedures, Section IX.A.) The express purpose of this prohibition is to prevent campaigning under the "expressed or implied endorsement or authorization of the City, a City department, or a Neighborhood Council and prevent voter confusion." (Neighborhood Council Election Manual, Election Procedures, Section IX.A.3.) Nonetheless, a member of the Mayor's Office of Economic Opportunity has issued a strong statement of support for the SRNC using City resources and declaring "[w]e support the efforts of this endeavor (SRNC)." (See quoted message from Alisa Orduna, the Mayor's Homeless Policy Director attached hereto as Exhibit E.) The SRNC Formation Committee proudly uses this City statement as an endorsement of this process. Such biased support from the City violates the requirement that the City maintain an impartial and neutral position in Neighborhood Council elections. The City's interference thus far in this election will result in voter confusion and a skewed election.

President Shaffer and Honorable Commissioners

March 17, 2017

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Based on the foregoing, we are hopeful that upon reconsideration you will determine the subdivision

petition filed in connection with the proposed SRNC does not comply with the clear requirements of the

Plan and LAMC. As such the subdivision petition should be reconsidered, denied and the election delayed

until these issues are resolved. We want to ensure the integrity of the voting process and prevent

questions of legitimacy, should this hastily developed election process go forward as currently proposed.

Should you have any questions or require additional information, please do not hesitate to call the

undersigned.

Respectfully,

LINER LLP

Rockard J. Delgadillo

RJD:MN

Attachments

CC:

The Honorable Eric Garcetti, Mayor, City of Los Angeles

The Honorable Mike Feuer, City Attorney

The Honorable Jose Huizar, Councilmember, 14th District

Darren Martinez, Supervising Attorney, Neighborhood Council

Grayce Liu, General Manager, DONE

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6.5 Exhibit 5 – Rena Leddy's March 20, 2017 email to property owners

From: Rena Leddy

To: Ronny Bensimon : Bradley A. Luster ; Jim Mellano : Mark Chatoff (mark@californiaflowermall.com); John Van

Den Akker; Scott Yamabe; "Darrin Olson"; "Dean Nucich"; Adrian Szabo; Joshua Foley (JFoley@essex.com)

Subject: Your property & Skid Row Neighborhood Council

Date: Monday, March 20, 2017 12:24:00 PM

Attachments: Letter to DONE31717.pdf

Dear Fashion District Stakeholder,

A group of stakeholders in Skid Row is trying to create a Neighborhood Council which would splinter from the Downtown Neighborhood Council (DLANC). There will be an election April 6th. The boundaries are 3rd to 7th and Main to Alameda. (It is unclear if it is both sides of Main and 7th.)

Attached is a letter sent by attorney Rocky Delgadillo on behalf of property owners in the proposed new neighborhood council who are petitioning that the City postpone the election, now scheduled for April 6. These owners have formed an entity that engaged Rocky for this effort. The group is called United Downtown LA LLC. This proposal to create a new, separate neighborhood council between Main/Alameda/3rd/7th was approved by the City and will have an election on April 6 unless the group is successful in obtaining a postponement. Rocky has documented the many deficiencies in the application. There was absolutely no outreach to the businesses and property owners who would be affected.

The Department of Neighborhood Empowerment is the City department that oversees neighborhood councils. **Rocky will attend a meeting today at 1 p.m. and will testify**. I will be there also.

Additionally, there will be another meeting on Wednesday that I will forward you that information. I encourage you to call Councilmember Huizar.

Please call me if you need additional information. I can be reached on my cell phone if I'm not in the office.

Rena Masten Leddy, Executive Director LA Fashion District 110 E 9th Street Suite A 1175 Los Angeles, CA 90079

tel: 213-488-1153 x 712

fax: 213-488-5159 cell: 310-600-3247 www.fashiondistrict.org 6.6 Exhibit 6 – March 20, 2017 BONC minutes

BOARD OF NEIGHBORHOOD COMMISSIONERS REGULAR MEETING MINUTES - APPROVED MARCH 20, 2017 Page 4 of 8

Public Comment: Update provided by Grayce Liu. Mike Fong provided update on Subdivision process and Homelessness Civic U. Judy Price no comment. Wayne provided commentary. Lisa Sarkin, no comment. Joe Riser provided commentary. Commissioner Atkinson inquired on "quiet time" as discussed by Joe Riser. Grayce Liu provided clarification.

 [1:48] Discussion and possible action to draft a Letter of Recommendation on behalf of Downtown Los Angeles Neighborhood Council related to their Vision Plan award nomination. (10 minutes)

Public Comment: Presentation by DLANC President, Patti Berman. Commissioner Shaffer asked for clarification of request.

Action: Motion to approve letter draft provided by DLANC Commission.

VOTE	Mover	Darett-Quiroz	Second	Lafarga
Commissioner	Ayes	Nays	Abstention	Absent
Shaffer	X			
Atkinson	Х			
Darett-Quiroz	Х			
Lafarga	Х			
Wehbe	Х			
Total	5			
Motion	Carries	X	Fails	

11. [1:55] Discussion and update on Neighborhood Council Subdivision elections. (10 minutes)

Public Comment: Wayne not present, no comment. Paola Flores provide commentary. Scott Gray provided commentary. John H provided commentary. Debbi Welsh provided commentary. Rocky Delgadillo provided commentary. Robert Newman provided commentary. Commissioner Atkinson asked for location of polling place. Grayce Liu and Mike Fong provided clarification. Michael Maier provided commentary. Joseph Riser provided commentary. Kathleen Damani provided commentary. Rena Leddy provided commentary. Alan Kumamoto provided commentary. Karen Christopherson provided commentary. Miguel Nelson provided commentary. General Jeff provided commentary. Elizabeth Peter Gowen provided commentary. Commissioner LaFarga asked for clarification of timing. Grayce Liu provided clarificiation. Commissioner Darett-Quiroz asked for clarification on polling place. Deputy CA Elise Rudin provided advice to Commissioner

BOARD OF NEIGHBORHOOD COMMISSIONERS REGULAR MEETING MINUTES - APPROVED MARCH 20, 2017 Page **5** of **8**

Wehbe's commentary. Grayce Liu & Mike Fong provided update on next SRNC townhall meeting. Commissioner Darett-Quiroz asked for viewing of letter submitted by Rocky Delgadillo.

12. [2:41] Discussion and possible action to create Ad Hoc Committee to review Council File 15-1022-S2 including General Manager's report on elections and provide recommendations.

Public Comment: Lisa Sarkin provided commentary. Judy Price provided commentary.

Commissioner Shaffer appointed Commissioner Lipmen as Ad Hoc chair and Commissioners Wehbe and Darett-Quiroz appointed as members. Ad Hoc term date is 6 months from today which is 09/19/17.

Action: None. Creation of Ad Hoc by appointment of Commissioner Shaffer.

13. [2:49]Discussion and possible action to approve Silverlake Neighborhood Council Bylaw amendment to modify Youth Board eligibility age from 14 years of age to 18 years of age and minimum voting age. https://empowerla.org/wp-content/uploads/2017/03/SLNC-Bylaw-Amendment-Request-Documents.pdf

Public Comment: Update provided by Department staff, Lorenzo Briseno. Commissioner LaFarga asked for clarification as of Department's recommendation. Grayce Liu provided further clarification of Department's recommendation. Commissioner Atkinson provided commentary. Anne Marie Johnson provided commentary. Betsy Israelite provided commentary. Jerome Courshon provided commentary. Commissioner Darett-Quiroz provided commentary. Commissioner Wehbe provided commentary. Commissioner Lipmen provided commentary. Commission Lafarga provided commentary and requested clarification of Youth participation. Anne Marie Johnson provided clarification of 14 year old participation in 2016 election. Commissioner Lipmen provided rebuttal to Ms Johnson's clarification. Commissioner Atkinson provided commentary. Commissioner Shaffer provided commentary and rebuttal to Commissioner Lipmen's commentary. Commissioner Lafarga inquired on accuracy of SLNC's bylaws amendment Grayce Liu provided response. request. Commissioner Darett-Quiroz provided commentary.

Action: Motion to approve Silverlake Neighborhood Council Bylaw amendment to modify Youth Board eligibility age from 14 years of age to 18 years of age.

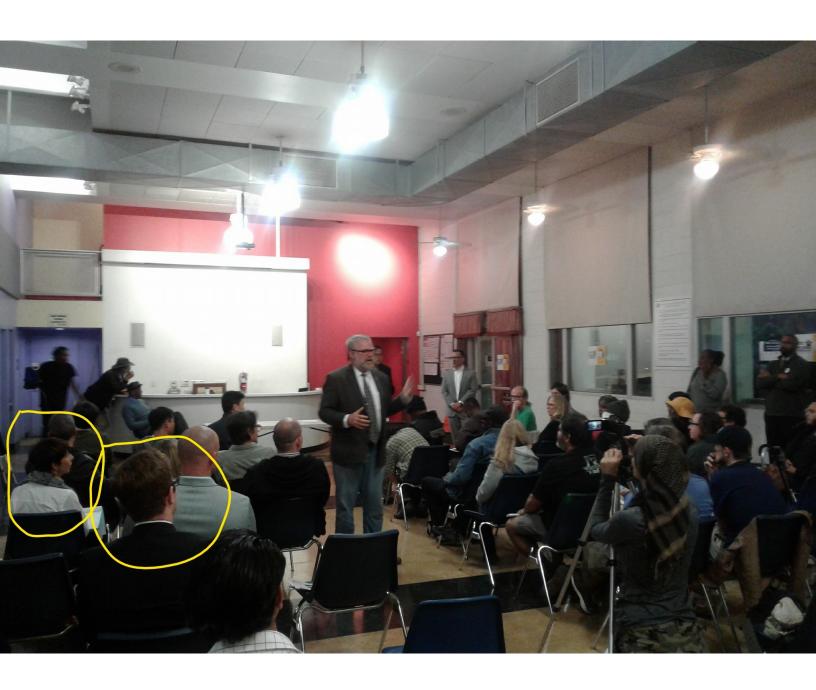
VOTE	Mover	Darett-Quiroz	Second	Wehbe
Commissioner	Ayes	30 Nays	Abstention	Absent
Shaffer	Х			

6.7 Exhibit 7 – Rockard Delgadillo's speaker card from the March 22, 2017 meeting of the Rules and Elections Committee

CITY OF LOS ANGELES SPEAKER CARD

3/22/17	THE CITY COUNCIL'S RULES OF DECORUM WILL BE ENFORCED.	Council File No., Agenda Item, or Case No. 15 - 1022 - 52
I wish to speak before the	viles Elections Comm Name of City Agency, Department, Committee or	oitee Council
Do you wish to provide general powers. Name: DCKY Downstream Street Control of the Control of t	public comment, or to speak for or against a proposa	al on the agenda? () For proposal () Against proposal () General comments
Address: 633 W. Street Business phone 310 507	5th St #3200 L	A 90071 State State
CHECK HERE IF YOU ARE A	A PAID SPEAKER AND PROVIDE CLIENT INFOR	Phone #:
Client Address: Street	City	State Zip
Please see reverse of card f	or important information and submit this entire card	to the presiding officer or chairperson.

6.8 Exhibit 8 – Photograph of Matthew Nichols at the February 15, 2017 town hall meeting on SRNC formation



6.9 Exhibit 9 – Matthew Nichols's speaker card from the March 22, 2017 meeting of the Rules and Elections Committee

CITY OF LOS ANGELES SPEAKER CARD

Date 3/22/17	THE CITY COUNCIL'S RULES OF DECORUM WILL BE ENFORCED.	Council File No., Agenda Item, or Case No.
I wish to speak before the	Name of City Agency, Department, Committee or	r Council
Do you wish to provide general	public comment, or to speak for or against a propos	al on the agenda? () For proposal
Name: Mstt N	lichols	() Against proposal
Business or Organization Affilia	ation: Lines	
Address: 633	W. 5th St. Alr 32, LA	CA 90071
Street Business phone: 2/3	ation: Line F W. 5 th St. FLR 32, LA City City City Daw to	State Zip
	A PAID SPEAKER AND PROVIDE CLIENT INFO	
Client Name:		Phone #:
The state of the s		

6.10 Exhibit 10 – Agenda of the March 28, 2017 meeting of the DID BID Board of Directors



Central City East Association

Los Angeles Downtown Industrial District Business Improvement District

DOWNTOWN INDUSTRIAL BID BOARD OF DIRECTORS MEETING AGENDA

Central City East Association 725 S. Crocker Street, Los Angeles 90021 March 28, 2017 10:30 a.m.

1. Call to Order- Welcome & Introductions

Shinbane

2. Public Comment

This opportunity is reserved for any public comments to the Board pursuant to the Brown Act with the understanding that no action may be taken, nor discussion conducted on non-agenda subjects. It is the Board's policy that persons in the audience may address this Board in connection with any non-agenda item during the public comment period. As provided by the Brown Act, the Board has limited each individual's speaking time to two minutes. Speaking time can be reduced at the discretion of the Board Chair. Members of the public desiring to speak during the public comment period are requested to complete a speaker card and submit it to the Chair prior to the start of the meeting.

3. Approval of the Minutes of Nov. 18, 2016

Shinbane

4. City Representatives

5. Presentations

- Proposed Skid Row Neighborhood Council Jeff Page
- West Santa Ana Branch Transit Corridor Metro staff
- Catalina Swimwear Building Kent Hawkins, Statewide Acquisitions Group

6. Treasurer's Report

Coelho

Quarterly Financials

7. Executive Committee Report

Shinbane

8. Executive Director's Report

Lopez

8. Election of 2017-2018 Officers

Shinbane

9. Adjournment

As a covered entity under Title II of the Americans with Disabilities Act, the Central City East Association does not discriminate on the basis of disability and upon request will provide reasonable accommodation to ensure equal access to its programs, services, and activities. Sign language interpreters, assisted listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability of services, please make your request at least 3 business days (72-hours) prior to the meeting by contacting (213) 228-8484.

6.11 Exhibit 11 – Photograph of Matthew Nichols at the March 29, 2017 town hall meeting on SRNC formation



 $\mathbf{6.12}\quad \mathbf{Exhibit}\ \mathbf{12}-\mathbf{Matthew}\ \mathbf{Nichols's}\ \mathbf{Q1}\ \mathbf{2017}\ \mathbf{lobbying}\ \mathbf{report}$



LOBBYIST QUARTERLY REPORT Form 33

Matthew Nichols (Liner LLP)
FOR THE CALENDAR QUARTER ENDING Mar 31, 2017

NAME OF LOBBYIST : Nichols, Matthew		TELEPHONE NUMBER: (213) 694-3130	FAX NUMBER: (213) 6943101
NAME OF LOBBYIST FIRM OR LOBI Liner LLP	BYIST EMPLOYER:		
BUSINESS ADDRESS:	(City State 7in)	E-MATI:	

Part I -	SUMMARY OF ACTIVIT	ту	
633 W. 5th	h Street, Suite 3200	(City, State 2ip) Los Angeles, CA 90071 -2005	mnichols@linerlaw.com

SUMMARY OF ACTIVITY	
A. Total Political Contributions: (from Grand Total in Part II)	\$0.00
B. Behested Contributions to Elective City Officers and Candidates for Elective City Office: (from Grand Total in Part III)	\$0.00
C. Total Fundraising Activity: (from Grand Total in Part IV)	\$0.00
D. Fundraising Solicitations: ([x] if Fundrasing Solicitations reported in Part V)	[]
E. Total Behested Donations: (from Grand Total in Part VI)	\$0.00
F. Total Activity Expenses: (from Grand Total in Part VII)	\$0.00
G. Total Payments from City Candidate and Ballot Measure Committees: (from Total in Part VIII)	\$0.00
H. Total Payments from City Agencies: (from Total in Part IX)	\$0.00
I. Grand Total Payments Received: (G+H above)	\$0.00

VERIFICATION

I have used all reasonable diligence in completing this form and attachments. I have reviewed the form and any attachments and to the best of my knowledge the information contained herein is true and complete.

I certify under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

28-Apr-17 Matthew Nichols (e-signed)

Executed On: (Date)

By: (Signature of Lobbyist)



LOBBYIST QUARTERLY REPORT Form 33

Matthew Nichols (Liner LLP)
FOR THE CALENDAR QUARTER ENDING Mar 31, 2017

Part X - CLIENTS AND AGENCIES LOBBIED

Client	Agencies Lobbied
Champion Real Estate Company	City Council
City Century LLC	Planning, City
CTK Ventures	City Council; Planning, City
Local Construct	Mayor, Office of;Building and Safety;Planning, City
MEtspresso LLC	City Council
Nike, Inc.	Building and Safety
Oxford Capital Group	Building and Safety; Planning, City
Shappell Liberty Investment Properties, LLC	City Council; Planning, City
Trammell Crow Residential	Planning, City
Westland Partners Inc	City Council; Planning, City

6.13 Exhibit 13 – Liner's 2017 lobbying firm registration form



Filer Information

NAME OF LOBBYING FIRM:
Liner LLP

BUSINESS ADDRESS: (Number and Street)
(street address redacted)

Amendment 2

DATE QUALIFIED AS LOBBYING FIRM:
Jan 01, 2017

	TELEPHONE NUMBER: (213) 694-3130
E-MAIL:	FAX NUMBER: (Optional)
salcabes@linerlaw.com	(213) 6943101

I. INDIVIDUAL LOBBYISTS

Samuel Alcabes	Andrew Brady
Name	Name
Kyndra Casper	Jeremy Chan
Name	Name
Noel Fleming	Michael Kiely
Name	Name
Ryan Leaderman	Jeffrey McDonald
Name	Name
Jerold Neuman	Matthew Nichols
Name	Name
A. Norian	_
Name	

II. CLIENTS

On next page(s), report each client which the firm is registering to provide municipal lobbying services.

III. VERIFICATION

I have used all reasonable diligence in preparing this form and any attachments. I have reviewed the form and all the attachments and to the best of my knowledge the information contained herein is true and complete.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

27-Apr-17	Kyndra Casper (e-signed)
Executed On: (Date)	By: (Signature of Authorized Person)



NAME OF LOBBYING FIRM: Liner LLP

II. CLIENTS

Report each client on whose behalf the firm is registering to provide lobbying services.

AME OF CLIENT: ce Outdoor Advertising REPRESENTATI Jan 01, 2017		BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)			
CITY, STATE, ZIP CODE:		TELEPHON	E NUMBER:
West Valley , UT 84119		(562) 310	68519
Agencies to be lobbied on behalf of the client		Municipal I	Legislation / Projects
ANY CITY AGENCY		(1) Sunse	et Billboard Project
NAME OF CLIENT:	REPRESENTATION I	BEGINS:	REPRESENTATION ENDS:
Arc Capital Partners LLC	Jan 01, 2017		Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)			
CITY, STATE, ZIP CODE:		TELEPHON	E NUMBER:
Los Angeles, CA 90067		(310) 95	4-9060
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		Municipal I (1) Korea	Legislation / Projects atown
NAME OF CLIENT:	REPRESENTATION I	BEGINS:	REPRESENTATION ENDS:
Atlas Capital Group, LLC	Jan 01, 2017		Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)			
CITY, STATE, ZIP CODE:		TELEPHON	E NUMBER:
New York, NY 10017		(212) 554	4-2250
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		(1) 220 C (2) 410 V (3) 712 S (4) Alame (5) China Street (6) General (7) Vigne	eda Square/Los Angeles town/120-129 W. College ral
NAME OF CLIENT:	REPRESENTATION I	BEGINS:	REPRESENTATION ENDS:
Bancroft Capital	Jan 01, 2017		Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)	·		-
CITY, STATE, ZIP CODE:		TELEPHON	E NUMBER:
Manhattan Beach, CA 90266		(310) 318	89120
Agencies to be lobbied on behalf of the client		Municipal I	Legislation / Projects
ANY CITY AGENCY		(1) Gene	ral
NAME OF CLIENT:	REPRESENTATION I	BEGINS:	REPRESENTATION ENDS:
Barlow Respitory Hospital	Jan 01, 2017		Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)			



LOS ANGELES			
CITY, STATE, ZIP CODE: Los Angeles, CA 90026		TELEPHON (213) 250	IE NUMBER: 04200
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		Municipal I (1) Barlov	Legislation / Projects W
NAME OF CLIENT: Bastion Development Corporation	REPRESENTATION Jan 01, 2017	ON BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)			
CITY, STATE, ZIP CODE: Manhattan Beach, CA 90266		TELEPHON (310) 70:	IE NUMBER: 1-0282
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		Municipal I	Legislation / Projects atown Entitlements
NAME OF CLIENT: Champion Real Estate Company	REPRESENTATION Jan 01, 2017	ON BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)			
CITY, STATE, ZIP CODE: Los Angeles, CA 90025		TELEPHON (310) 312	IE NUMBER: 2-8020
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		(1) Chats (2) Gener (3) Highla CPC2011	ral and Selma Venture [-2157-ZV-SPR] wood Cherokee Apartments et t ont
NAME OF CLIENT: City Century LLC	REPRESENTATION Jan 01, 2017	ON BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)	·		
CITY, STATE, ZIP CODE: Los Angeles, CA 90017		TELEPHON (310) 320	IE NUMBER: 07873
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		Municipal I (1) DTLA DTLA	Legislation / Projects
NAME OF CLIENT: CityView	REPRESENTATION Jan 01, 2017	ON BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)			
CITY, STATE, ZIP CODE: Los Angeles, CA 90024		TELEPHON (310) 566	IE NUMBER: 68766
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		Municipal I (1) Adam Adams and	Legislation / Projects ns and Grand Grand
NAME OF CLIENT: Crescent Heights	REPRESENTATION Jan 01, 2017	ON BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)	A'7		



LOS AWAILES			
CITY, STATE, ZIP CODE: Los Angeles, CA 90067		TELEPHON (424) 653	E NUMBER: 32100
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		Municipal L (1) 11th a 11th and Oli	
NAME OF CLIENT: Crossroads Associates LLC	REPRESENTATIO Jan 01, 2017	N BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)			
CITY, STATE, ZIP CODE: Los Angeles, CA 90048		TELEPHON (323) 658	E NUMBER: 3-1511
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		(1) Cross Developmen buildings incoffice uses.	Legislation / Projects roads It of a 7 plus acre site with 8 new cluding hotel, retail, residential and
NAME OF CLIENT: CTK Ventures	REPRESENTATIO Jan 01, 2017	ON BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)			
CITY, STATE, ZIP CODE: Los Angeles, CA 90045		TELEPHON (310) 956	E NUMBER: 53500
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		Municipal L (1) Kenne	egislation / Projects
NAME OF CLIENT: CV 1800 Beverly, LLC	REPRESENTATIO Jan 01, 2017	ON BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)			
CITY, STATE, ZIP CODE: Los Angeles, CA 90024		TELEPHON (310) 566	E NUMBER: 5-8766
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		Municipal L (1) 1800 CityView	egislation / Projects Beverly
NAME OF CLIENT: Estate Four	REPRESENTATIO Jan 01, 2017	ON BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)			
CITY, STATE, ZIP CODE: West Hollywood, CA 90069		TELEPHON (310) 299	E NUMBER: 9-7020
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		Municipal L (1) 2nd S	egislation / Projects treet
NAME OF CLIENT: EYP Realty	REPRESENTATIO Jan 01, 2017	ON BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)			
CITY, STATE, ZIP CODE: Los Angeles, CA 90017		TELEPHON (213) 330	E NUMBER: 08033
_			



LOS ANGELES			
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		Municipal I (1) Wilshi Wilshire Gra	
NAME OF CLIENT: Forest City Residential West, Inc.	REPRESENTATIO Jan 01, 2017	N BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)	-1		
CITY, STATE, ZIP CODE: Los Angeles, CA 90015		TELEPHON (213) 488	E NUMBER: 3-0010
Agencies to be lobbied on behalf of the client ANY CITY AGENCY			Legislation / Projects B. Hope St. Dom Plaza Za
NAME OF CLIENT: Gilmore Associates	REPRESENTATIO Jan 01, 2017	N BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)			
CITY, STATE, ZIP CODE: Los Angeles, CA 90013		TELEPHON (213) 622	E NUMBER: 2-4949
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		Municipal I (1) Vibiar	egislation / Projects
NAME OF CLIENT: Greenland LA Metropolis Development II LLC	REPRESENTATIO Jan 01, 2017	N BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)			
CITY, STATE, ZIP CODE: Los Angeles, CA 90017		TELEPHON (213) 784	E NUMBER: 1-3906
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		Municipal I (1) Metro	egislation / Projects polis
NAME OF CLIENT: Harridge Development Group, LLC	REPRESENTATIO Jan 01, 2017	N BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)			
CITY, STATE, ZIP CODE: Los Angeles, CA 90048		TELEPHON (323) 658	E NUMBER: 31511
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		(1) 5825 (2) Barlov (3) Comp (4) Delux (5) Gener (6) Grana (7) Holy I (8) Korea (9) La Pu (10) LA T (11) Lake (12) Pano (13) Rese (14) San (15) Stud	re ral Real Estate ral Real Estate ral Allo ral Real Estate ral Real Estate ral Real Estate ral Real Estate ral Reseda Feliciano/Woodland Hills



NAME OF CLIENT: Jade Enterprises, LLC	REPRESENTATION Jan 01, 2017	N BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)			,
CITY, STATE, ZIP CODE: Los Angeles, CA 90017		TELEPHON (213) 74	E NUMBER: 55191
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		Municipal I (1) 8th an 8th and Flow (2) Emeral (3) Sappl	ald
NAME OF CLIENT: Jamison Properties, LP	REPRESENTATION Jan 01, 2017	N BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)			
CITY, STATE, ZIP CODE: Los Angeles, CA 90010		TELEPHON (213) 20:	E NUMBER: 1-1009
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		Municipal I (1) 1030 1030 Lake (2) 2140 (3) 668 C	Olympic
NAME OF CLIENT: Jia Yuan USA Co., Inc.	REPRESENTATION Jan 01, 2017	N BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)	·		
CITY, STATE, ZIP CODE: Los Angeles, CA 90015		TELEPHON (213) 743	E NUMBER: 3-7660
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		(1) 1020	Legislation / Projects S. Figueroa St./Los Angeles zhen Cancer Treatment
NAME OF CLIENT: Ladder Capital Finance	REPRESENTATION Jan 01, 2017	N BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)	·		
CITY, STATE, ZIP CODE: Los Angeles, CA 90067		TELEPHON (310) 60:	E NUMBER: 12461
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		Municipal I (1) 431 N	Legislation / Projects J. La Cienega
NAME OF CLIENT: Larchmont Village Partners One LLC	REPRESENTATION Jan 01, 2017	N BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)			
CITY, STATE, ZIP CODE: Beverly Hills, CA 90210		TELEPHON (310) 650	E NUMBER: 05432
Agencies to be lobbied on behalf of the client ANY CITY AGENCY	50	Municipal I (1) 229 N (2) Mizra	Legislation / Projects J. Larchmont hi



NAME OF CLIENT: Laurus Corporation	REPRESENTATION Jan 01, 2017	BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)			, ,
CITY, STATE, ZIP CODE: Los Angeles, CA 90067		TELEPHONE (310) 407	
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		(1) Marrio Marriott Cent	egislation / Projects ott Center ter enade Howard Hughes
NAME OF CLIENT: Lawn School LLC	REPRESENTATION Jan 01, 2017	BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)			
CITY, STATE, ZIP CODE: Los Angeles, CA 90019		TELEPHONE (310) 801	
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		Municipal L (1) Flask a	egislation / Projects and Field
NAME OF CLIENT: Leap of Faith Partners	REPRESENTATION Jan 01, 2017	BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)			
CITY, STATE, ZIP CODE: Los Angeles, CA 90012		TELEPHONE (805) 452	
Agencies to be lobbied on behalf of the client ANY CITY AGENCY			egislation / Projects Quintero Street
NAME OF CLIENT: Local Construct	REPRESENTATION Jan 01, 2017	BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)			
CITY, STATE, ZIP CODE: Los Angeles, CA 90039		TELEPHONE (310) 997	
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		Municipal L (1) 1307 I 1307-1309 L (2) Perch	egislation / Projects Lincoln _{incoln}
NAME OF CLIENT: Los Angeles Streetcar, Inc.	REPRESENTATION Jan 01, 2017	BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)			
CITY, STATE, ZIP CODE: Los Angeles, CA 90014		TELEPHONE (213) 626	
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		Municipal L (1) Street Angeles	egislation / Projects ccar project/Downtown Los
NAME OF CLIENT: Lowe Enterprises Inc.	REPRESENTATION Jan 01, 2017	BEGINS:	REPRESENTATION ENDS: Dec 31, 2017



LOS ANGELES			
CLIENT ADDRESS: (Number and Street) (street address redacted)			
CITY, STATE, ZIP CODE: Los Angeles, CA 90049		TELEPHON (310) 820	E NUMBER: 06661
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		(1) Arts [r City/Washington, National
NAME OF CLIENT: Maguire Properties - 755 S. Figueroa, LLC	REPRESENTATION Jan 01, 2017	N BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)			
CITY, STATE, ZIP CODE: Los Angeles, CA 90017		TELEPHON (213) 330	E NUMBER: 0-8104
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		Municipal I (1) 755 S 755 S. Figer	Legislation / Projects 5. Figeuroa _{uroa}
NAME OF CLIENT: MEtspresso LLC	REPRESENTATION Jan 01, 2017	N BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)			
CITY, STATE, ZIP CODE: Los Angeles, CA 90027		TELEPHON (310) 929	E NUMBER: 90430
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		Municipal I (1) LA Pa	Legislation / Projects rklets
NAME OF CLIENT: MREC HD Blake Street	REPRESENTATION Jan 01, 2017	N BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)			
CITY, STATE, ZIP CODE: Los Angeles, CA 90048		TELEPHON (323) 658	E NUMBER: 3-1511
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		Municipal I (1) Blake	Legislation / Projects Street (Bimbo Bakery)
NAME OF CLIENT: MREC HD Elysian Park, LLC	REPRESENTATION Jan 01, 2017	N BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)			
CITY, STATE, ZIP CODE: Los Angeles, CA 90048		TELEPHON (323) 658	E NUMBER: 3-1511
Agencies to be lobbied on behalf of the client ANY CITY AGENCY			Legislation / Projects In Park (Barlow Hospital)
NAME OF CLIENT: National Electrical Contractors Association	REPRESENTATION Jan 01, 2017	N BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)			
CITY, STATE, ZIP CODE: Pasadena, CA 91103		TELEPHON (626) 792	E NUMBER: 2-6322

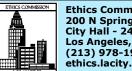


LOBBYING FIRM REGISTRATION FORM Form 31

Agencies to be lobbied on behalf of the client Municipal Legislation / Projects ANY CITY AGENCY (1) Minimum Wage Ordinance NAME OF CLIENT: REPRESENTATION BEGINS: REPRESENTATION ENDS: Nationwide RP Corporation Jan 01, 2017 Dec 31, 2017 CLIENT ADDRESS: (Number and Street) (street address redacted) CITY, STATE, ZIP CODE: TELEPHONE NUMBER: Los Angeles, CA 90048 (310) 854-8734 Agencies to be lobbied on behalf of the client Municipal Legislation / Projects (1) Bibo lounge ANY CITY AGENCY Bibo lounge (2) Dome/Arclight Complex (3) Hollywood Pacific/6541 Hollywood Boulevard (4) Robertson REPRESENTATION ENDS: NAME OF CLIENT: REPRESENTATION BEGINS: Jan 01, 2017 Dec 31, 2017 Nike, Inc. CLIENT ADDRESS: (Number and Street) (street address redacted) CITY, STATE, ZIP CODE: TELEPHONE NUMBER: (503) 6716453 Beaverton, OR 97005 Agencies to be lobbied on behalf of the client Municipal Legislation / Projects ANY CITY AGENCY (1) Arizona Place REPRESENTATION BEGINS: NAME OF CLIENT: **REPRESENTATION ENDS:** Oxford Capital Group Jan 01, 2017 Dec 31, 2017 CLIENT ADDRESS: (Number and Street) (street address redacted) CITY, STATE, ZIP CODE: TELEPHONE NUMBER: (312) 7559500 Chicago, IL 60654 Agencies to be lobbied on behalf of the client Municipal Legislation / Projects ANY CITY AGENCY (1) Godfrey Hotel Hollywood REPRESENTATION BEGINS: NAME OF CLIENT: **REPRESENTATION ENDS:** Prime/CRDF Mission Hills, LLC Jan 01, 2017 Dec 31, 2017 CLIENT ADDRESS: (Number and Street) (street address redacted) CITY, STATE, ZIP CODE: TELEPHONE NUMBER: Los Angeles, CA 90012 (310) 652-1177 Municipal Legislation / Projects Agencies to be lobbied on behalf of the client ANY CITY AGENCY (1) Olivo Mission Hills/10310 Sepulveda Boulevard NAME OF CLIENT: REPRESENTATION BEGINS: REPRESENTATION ENDS: Jan 01, 2017 Dec 31, 2017 Realm Group LLC CLIENT ADDRESS: (Number and Street) (street address redacted) CITY, STATE, ZIP CODE: TELEPHONE NUMBER: Newport Beach, CA 92660 (949) 9751122 Agencies to be lobbied on behalf of the client Municipal Legislation / Projects ANY CITY AGENCY Fashion District Tower



NAME OF CLIENT: Relevant Group LLC	REPRESENTATION Jan 01, 2017	N BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)			,
CITY, STATE, ZIP CODE: Hollywood, CA 90028		TELEPHON (323) 466	E NUMBER: 5-1400
Agencies to be lobbied on behalf of the client ANY CITY AGENCY			Legislation / Projects ral Real Estate son Hotel
NAME OF CLIENT: Ryda Ventures LLC	REPRESENTATION Jan 01, 2017	N BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)	'		
CITY, STATE, ZIP CODE: Los Angeles, CA 90015		TELEPHON (213) 226	E NUMBER: 56454
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		(1) 3301-	
NAME OF CLIENT: Shappell Liberty Investment Properties, LLC	REPRESENTATION Jan 01, 2017	N BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)	·		
CITY, STATE, ZIP CODE: Beverly Hills, CA 90211		TELEPHON (323) 988	E NUMBER: 3-7590
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		(1) Porter	egislation / Projects r Ranch - Town Center e at Porter Ranch
NAME OF CLIENT: Skid Row Housing Trust	REPRESENTATION Jan 01, 2017	N BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)			
CITY, STATE, ZIP CODE: Los Angeles, CA 90021		TELEPHON (213) 683	E NUMBER: 30522
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		Municipal L (1) St. Ma	egislation / Projects ark's
NAME OF CLIENT: Southern California Ambulance	REPRESENTATION Jan 01, 2017	N BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)			
CITY, STATE, ZIP CODE: Alhambra, CA 91803		TELEPHON (323) 967	E NUMBER: 71322
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		Municipal L (1) Count	Legislation / Projects cy License
NAME OF CLIENT: Trammell Crow Residential	REPRESENTATION Jan 01, 2017	N BEGINS:	REPRESENTATION ENDS: Dec 31, 2017



CLIENT ADDRESS: (Number and Street)			
(street address redacted)			
CITY, STATE, ZIP CODE: Carlsbad, CA 92008		TELEPHON (760) 431	E NUMBER: L-3366
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		(1) Alexai 1910 Temple	Legislation / Projects n e and 330 N. Westlake Multi-Family Development
NAME OF CLIENT: Urban Offerings	REPRESENTATION Jan 01, 2017	N BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)			1
CITY, STATE, ZIP CODE: Los Angeles, CA 90064		TELEPHON (310) 427	E NUMBER: 77432
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		Municipal L (1) 7th ar (2) Gener	egislation / Projects nd Maple al
NAME OF CLIENT: Watermark Westwood Village LLC	REPRESENTATION Jan 01, 2017	N BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)			
CITY, STATE, ZIP CODE: Tucson, AZ 85704		TELEPHON (520) 615	
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		Municipal L (1) Westw	egislation / Projects vood
NAME OF CLIENT: Westland Partners Inc	REPRESENTATION Jan 01, 2017	N BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)			
CITY, STATE, ZIP CODE: Beverly Hills , CA 90210		TELEPHON (310) 247	E NUMBER: 79055
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		Municipal L (1) 6344 Kennel	egislation / Projects Arizona Circle
NAME OF CLIENT: WP West Development Enterprises	REPRESENTATION Jan 01, 2017	N BEGINS:	REPRESENTATION ENDS: Dec 31, 2017
CLIENT ADDRESS: (Number and Street) (street address redacted)			
CITY, STATE, ZIP CODE: Irvine, CA 92614		TELEPHON (713) 454	E NUMBER: 1-4367
Agencies to be lobbied on behalf of the client ANY CITY AGENCY		Municipal L (1) Gener	egislation / Projects

 $\mathbf{6.14}\quad \mathbf{Exhibit}\ \mathbf{14-Liner's}\ \mathbf{Q1}\ \mathbf{2017}\ \mathbf{lobbying}\ \mathbf{report}$



Part I -

Ethics Commission 200 N Spring Street City Hall - 24th Floor Los Angeles, CA 90012 (213) 978-1960 ethics.lacity.org

LOBBYING FIRM QUARTERLY REPORT Form 34

Liner LLP

FOR THE CALENDAR QUARTER ENDING Mar 31, 2017

NAME OF LOBBYING FIRM : Liner LLP		TELEPHONE N (213) 694-3		FAX NUMBER: (213) 6943101
BUSINESS ADDRESS: 633 W. 5th Street, Suite 3200	(City, State Zip) Los Angeles, CA 90071 -2005		E-MAIL: salcabes@l	inerlaw.com
NAME OF PERSON AUTHORIZED TO PREPARE Casper, Kyndra	FORM:		EMAIL: kcasper@li	nerlaw.com

CUMMARY OF ACTIVITY	
SUMMARY OF ACTIVITY	
A. Total Payments to Lobbyists:	\$0.00
B. Total Payments to Non-Lobbyist Employees:	\$0.00
C. Total Activity Expenses: (from Grand Total in Part III)	\$0.00
D. Total Other Expenditures: (Each expenditure of \$5,000 or more shall be itemized in Part IV)	\$0.00
E. Grand Total Lobbying Expenditure: (A+B+C+D above)	\$0.00
F. Total Political Contributions: (from Grand Total in Part V)	\$0.00
G. Behested Contributions to Elective City Officers and Candidates for Elective City Office: (from Grand Total in Part VI)	\$0.00
H. Total Fundraising Activity: (from Grand Total in Part VII)	\$0.00
I. Fundraising Solicitations:([x] if Fundrasing Solicitations reported in Part VIII)	[]
J. Total Behested Donations: (from Grand Total in Part IX)	\$0.00
K. Total Lobbying Payments from Clients: (from Total in Part X)	\$1,019,936.33
L. Total Payments from City Candidate and Ballot Measure Committees: (from Total in Part XI)	\$0.00
M. Total Payments from City Agencies: (from Total in Part XII)	\$0.00

VERIFICATION

I have used all reasonable diligence in completing this form and attachments. I have reviewed the form and any attachments and to the best of my knowledge the information contained herein is true and complete.

I certify under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

28-Apr-17	Kyndra Casper (e-signed)
Executed On: (Date)	By: (Signature of Authorized Person)



LOBBYING FIRM QUARTERLY REPORT Form 34

Liner LLP FOR THE CALENDAR QUARTER ENDING **Mar 31, 2017**

Part II - REGISTERED LOBBYISTS

- 1. Samuel Alcabes
- 2. Andrew Brady
- 3. Kyndra Casper
- 4. Jeremy Chan
- 5. Noel Hyun Fleming
- 6. Michael J Kiely
- 7. Ryan M. Leaderman
- 8. Jerold B Neuman
- 9. Matthew Nichols
- 10. A. Catherine Norian



LOBBYING FIRM QUARTERLY REPORT Form 34

FOR THE CALENDAR QUARTER ENDING Mar 31, 2017

Part X - CLIENT PROJECTS AND PAYMENTS

Client Name and Contact Info			Total Payments
ACE OUTDOOR ADVERTISING 2274 S. Technology Drive West Valley , UT 84119 (562) 3168519			\$3,600.00
Municipal Legislation / Projects			
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
Sunset Billboard Project		City Council; Planning, City	\$3,600.00

Client Name and Contact Info			Total Payments
ARC CAPITAL PARTNERS LLC 1925 Century Park East, 17th Floor Los Angeles, CA 90067 (310) 954-9060			\$0.00
Municipal Legislation / Projects			
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
Koreatown		No agencies lobbied this quarter	\$0.00

Client Name and Contact Info			Total Payments
ATLAS CAPITAL GROUP, LLC 505 Fifth Avenue, 28th Floor New York, NY 10017 (212) 554-2250			\$3,145.73
Municipal Legislation / Projects			
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
220 Center St.		No agencies lobbied this quarter	\$0.00
410 W. 7th St.		No agencies lobbied this quarter	\$0.00
712 S. Olive		No agencies lobbied this quarter	\$0.00
Alameda Square/Los Angeles		No agencies lobbied this quarter	\$0.00
Chinatown/120-129 W. College Street		No agencies lobbied this quarter	\$0.00
General		No agencies lobbied this quarter	\$0.00
Vignes		No agencies lobbied this quarter	\$0.00
Woodland Hills		Building and Safety; Neighborhood Councils; Planning, City	\$3,145.73



LOBBYING FIRM QUARTERLY REPORT Form 34

Liner LLP FOR THE CALENDAR QUARTER ENDING **Mar 31, 2017**

BANCROFT CAPITAL 1112 Ocean Drive Suite 300 Manhattan Beach, CA 90266 (310) 3189120			\$0.00
Municipal Legislation / Projects			
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
General		No agencies lobbied this quarter	\$0.00

Client Name and Contact Info			Total Payments
BARLOW RESPITORY HOSPITAL 2000 Stadium Way Los Angeles, CA 90026 (213) 2504200 Municipal Legislation / Projects			\$4,701.00
Tramelpar Legislation / 110jects			
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
Barlow		Planning, City	\$4,701.00

Client Name and Contact Info			Total Payments
BASTION DEVELOPMENT CORPORATION 586 30th Street Manhattan Beach, CA 90266 (310) 701-0282	DN		\$0.00
Municipal Legislation / Projects			
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
Koreatown Entitlements		No agencies lobbied this quarter	\$0.00

Total Payments
\$18,390.00

Municipal Legislation / Projects			
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
Chatsworth		No agencies lobbied this quarter	\$0.00
General		Planning, City	\$187.50
Highland Selma Venture	CPC2011-2157-ZV-SPR	No agencies lobbied this quarter	\$0.00
Hollywood Cherokee Apartments		No agencies lobbied this quarter	\$0.00
Sunset 9701 Sunset		No agencies lobbied this quarter	\$0.00
Vermont		No agencies lobbied this quarter	\$0.00
Yucca Argyle		City Council;	\$18,202.50



LOBBYING FIRM QUARTERLY REPORT Form 34

Liner LLP FOR THE CALENDAR QUARTER ENDING **Mar 31, 2017**

Housing and
Community
Investment

Client Name and Contact Info			Total Payments
CITY CENTURY LLC 865 S. Figueroa Street, Suite 2330 Los Angeles, CA 90017 (310) 3207873			\$220,000.00
Municipal Legislation / Projects			
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
DTLA DTLA		City Council; Building and Safety; Planning, City	\$220,000.00

Client Name and Contact Info			Total Payments
CITYVIEW 10877 Wilshire Blvd., 12th Floor Los Angeles, CA 90024 (310) 5668766			\$7,659.00
Municipal Legislation / Project	s	-	
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
Adams and Grand Adams and Grand		City Council	\$7,659.00

Client Name and Contact Info			Total Payments
CRESCENT HEIGHTS 1800 Century park East, Suite 420 Los Angeles, CA 90067 (424) 6532100			\$0.00
Municipal Legislation / Projects		-	
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
11th and Olive 11th and Olive		No agencies lobbied this quarter	\$0.00

Client Name and Contact Info			Total Payments
CROSSROADS ASSOCIATES LLC 6363 Wilshire Blvd. #600 Los Angeles, CA 90048 (323) 658-1511			\$0.00
Municipal Legislation / Projects		•	
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
Crossroads Development of a 7 plus acre site with 8 new buildings including hotel, retail, residential and office uses. (CPC-2015-2025-ZC-HD-MCUP-CU-ZV-SPR)		No agencies lobbied this quarter	\$0.00



LOBBYING FIRM QUARTERLY REPORT Form 34

Liner LLP FOR THE CALENDAR QUARTER ENDING **Mar 31, 2017**

Client Name and Contact Info			Total Payments
CTK VENTURES 6374 Arizona Circle Los Angeles, CA 90045 (310) 9563500			\$12,388.25
Municipal Legislation / Projects			
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
Kennel		City Council; Planning, City	\$12,388.25

Client Name and Contact Info			Total Payments
CV 1800 BEVERLY, LLC c/o CityView 10877 Wilshire Blvd., 12th Floor Los Angeles, CA 90024 (310) 566-8766			\$12,560.00
Municipal Legislation / Projec	ts		
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
1800 Beverly CityView		City Council; Planning, City	\$12,560.00

Client Name and Contact In	· o		Total Payments
ESTATE FOUR 9200 Sunset Blvd., Suite 1110 West Hollywood, CA 90069 (310) 299-7020			\$0.00
Municipal Legislation / Proj	ects		
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
2nd Street		No agencies lobbied this quarter	\$0.00

Client Name and Contact Info			Total Payments
EYP REALTY c/o Brookfield Properties 601 South Figueroa Street, Suite 2200 Los Angeles, CA 90017 (213) 3308033			\$30,296.50
Municipal Legislation / Projects			
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
Wilshire Grand Wilshire Grand		Planning, City; Transportation (LADOT, DOT)	\$30,296.50

Client Name and Contact Info	Total Payments

\$0.00



General Real Estate

Ethics Commission 200 N Spring Street City Hall - 24th Floor Los Angeles, CA 90012 (213) 978-1960 ethics.lacity.org

LOBBYING FIRM QUARTERLY REPORT Form 34

Liner LLP FOR THE CALENDAR QUARTER ENDING Mar 31, 2017

FOREST CITY RESIDENTIAL WEST, INC. 949 S Hope St Ste 110 Los Angeles, CA 90015 (213) 488-0010			\$0.00
Municipal Legislation / Projects			
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
949 S. Hope St.		No agencies lobbied this quarter	\$0.00
Blossom Plaza Blossom Plaza		No agencies lobbied this quarter	\$0.00

Client Name and Contact Info			Total Payments
GILMORE ASSOCIATES 411 S. Main Street, Suite M100 Los Angeles, CA 90013 (213) 622-4949			\$0.00
Municipal Legislation / Project	IS		
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
Vibiana		No agencies lobbied this quarter	\$0.00

Client Name and Contact Inf	o		Total Payments
GREENLAND LA METROPOLIS D 777 South Figueroa Street, Suit Los Angeles, CA 90017 (213) 784-3906			\$0.00
Municipal Legislation / Proje	ects		
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
Metropolis		No agencies lobbied this quarter	\$0.00

Client Name and Contact Info			Total Payments
HARRIDGE DEVELOPMENT GROUP 6363 Wilshire Blvd., #600 Los Angeles, CA 90048 (323) 6581511	P, LLC		\$98,823.71
Municipal Legislation / Projec	ts		
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
5825 W Sunset		No agencies lobbied this quarter	\$0.00
Barlow Hospital		No agencies lobbied this quarter	\$0.00
Compton		No agencies lobbied this quarter	\$0.00
Deluxe		No agencies lobbied this quarter	\$0.00

No agencies lobbied

this quarter



LOBBYING FIRM QUARTERLY REPORT Form 34

Liner LLP FOR THE CALENDAR QUARTER ENDING **Mar 31, 2017**

Granada Hills	City Council; Neighborhood Councils	\$17,603.50
Holy Hill, 1111 Sunset Blvd.	No agencies lobbied this quarter	\$0.00
Koreatown	City Council; Planning, City	\$32,423.00
La Puente	No agencies lobbied this quarter	\$0.00
LA Times Industrial	City Council; Planning, City	\$6,067.50
Lakeview Terrace	Building and Safety	\$802.50
Panorama City/Northridge	No agencies lobbied this quarter	\$0.00
Reseda/Reseda	City Council; Planning, City	\$32,960.00
San Feliciano/Woodland Hills	Planning, City	\$8,967.21
Studio City	No agencies lobbied this quarter	\$0.00
Temple Hospital	No agencies lobbied this quarter	\$0.00

Client Name and Contact Info	Total Payments
JADE ENTERPRISES, LLC 888 South Figueroa Street, Suite 1900 Los Angeles, CA 90017 (213) 7455191	\$16,604.50

Municipal Legislation / Projects

668 Coronado

Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
8th and Flower 8th and Flower		No agencies lobbied this quarter	\$0.00
Emerald		No agencies lobbied this quarter	\$0.00
Sapphire		Planning, City	\$16,604.50

Client Name and Contact Info			Total Payments
JAMISON PROPERTIES, LP 3470 WIlshire Boulevard, Suite 700 Los Angeles, CA 90010 (213) 201-1009			\$0.00
Municipal Legislation / Projects		•	
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
1030 Lake 1030 Lake		No agencies lobbied this quarter	\$0.00
2140 Olympic		No agencies lobbied this quarter	\$0.00

Client Name and Contact Info	Γ
J	

\$0.00

No agencies lobbied

this quarter



LOBBYING FIRM QUARTERLY REPORT Form 34

JIA YUAN USA CO., INC. 1020 South Figueroa Street Room 925 Los Angeles, CA 90015 (213) 743-7660			\$16,699.38
Municipal Legislation / Projects			
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
1020 S. Figueroa St./Los Angeles		City Council; Planning, City	\$16,699.38
Shenzhen Cancer Treatment Facility Shenzhen		No agencies lobbied this quarter	\$0.00

Client Name and Contact Info			Total Payments
LADDER CAPITAL FINANCE 10250 Constellation Blvd, Suite 260 Los Angeles, CA 90067 (310) 6012461			\$0.00
Municipal Legislation / Projects			
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
431 N. La Cienega		No agencies lobbied this quarter	\$0.00

Client Name and Contact Info			Total Payments
LARCHMONT VILLAGE PARTNERS ONE LI 704 Trenton Drive Beverly Hills, CA 90210 (310) 6505432	LC		\$23,685.37
Municipal Legislation / Projects		-	
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
229 N. Larchmont		No agencies lobbied this quarter	\$0.00
Mizrahi		City Council; Building and Safety	\$23,685.37

Client Name and Contact Info			Total Payments
LAURUS CORPORATION 1880 Century Park East, Ste 1016 Los Angeles, CA 90067 (310) 407.3222			\$0.00
Municipal Legislation / Projects		•	
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
Marriott Center Marriott Center		No agencies lobbied this quarter	\$0.00
Promenade Howard Hughes		No agencies lobbied this quarter	\$0.00

Client Name and Contact Info	65	Total Payments
P. Control of the con	(),)	,



LOBBYING FIRM QUARTERLY REPORT Form 34

Flask and Field		Planning, City	\$1,170.00
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
Municipal Legislation / Projects			
LAWN SCHOOL LLC 1523 S. Orange Drive Los Angeles, CA 90019 (310) 8013768			\$1,170.00

Client Name and Contact Info			Total Payments
LEAP OF FAITH PARTNERS 1667 North Main Street Studio B16 Los Angeles, CA 90012 (805) 452-9055			\$0.00
Municipal Legislation / Projects			
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
1324 Quintero Street		No agencies lobbied this quarter	\$0.00

Client Name and Contact Info			Total Payments
LOCAL CONSTRUCT 3112 Los Feliz Blvd. Los Angeles, CA 90039 (310) 997-2373			\$14,132.50
Municipal Legislation / Project	cts	-	
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
1307 Lincoln 1307-1309 Lincoln		No agencies lobbied this quarter	\$0.00
Perch		Mayor, Office of; City Council; Building and Safety; Planning, City	\$14,132.50

Client Name and Contact Info			Total Payments
LOS ANGELES STREETCAR, INC. 850 S. Broadway, Penthouse Floor Los Angeles, CA 90014 (213) 6265321			\$14,944.48
Municipal Legislation / Projects		•	
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
Streetcar project/Downtown Los Angeles		City Council; Transportation (LADOT, DOT)	\$14,944.48

Client Name and Contact Info	Total Payments
ICHEHL Name and Contact Info	IOIAI PAYIIIEIIIS



LOBBYING FIRM QUARTERLY REPORT Form 34

LOWE ENTERPRISES INC.	\$141,132.50
11777 San Vicente Boulevard, Suite 900	
Los Angeles, CA 90049	
(310) 8206661	

Municipal Legislation / Projects			
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
Arts District		Building and Safety; Water & Power (DWP)	\$8,562.50
Culver City/Washington, National and Venice Blvd.		City Council; Building and Safety; Planning, City	\$132,570.00

Client Name and Contact Info			Total Payments
c/o Brookfield Property Group 601 South Figueroa Street, Suite Los Angeles, CA 90017 (213) 330-8104	Figueroa Street, Suite 2200 es, CA 90017		\$8,855.00
Municipal Legislation / Projec	,15		
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
755 S. Figeuroa 755 S. Figeuroa		City Council; Planning, City	\$8,855.00

Client Name and Contact Info			Total Payments
METSPRESSO LLC 2651 Nottingham PL. Los Angeles, CA 90027 (310) 9290430 Municipal Legislation / Project	ts		\$30,000.00
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
LA Parklets	inamiser (s)	City Council	\$30,000.00

Client Name and Contact Info			Total Payments
MREC HD BLAKE STREET 6363 Wilshire Blvd., #600 Los Angeles, CA 90048 (323) 658-1511			\$0.00
Municipal Legislation / Projects			
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
Blake Street (Bimbo Bakery)		No agencies lobbied this quarter	\$0.00

Client Name and Contact Info		Total Payments
MREC HD ELYSIAN PARK, LLC 6363 Wilshire Blvd., #600		\$7,051.50
Los Angeles, CA 90048 (323) 658-1511	67	



LOBBYING FIRM QUARTERLY REPORT Form 34

Municipal Legislation / Projects			
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
Elysian Park (Barlow Hospital)		Planning, City	\$7,051.50

Client Name and Contact Info			Total Payments
NATIONAL ELECTRICAL CONTRACTOR 100 E. Corson St., Suite 410 Pasadena, CA 91103 (626) 792-6322	RS ASSOCIATION		\$0.00
Municipal Legislation / Projects		.	
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
Minimum Wage Ordinance		No agencies lobbied this quarter	\$0.00

Client Name and Contact Info	Total Payments
NATIONWIDE RP CORPORATION 120 N Robertson Blvd Los Angeles, CA 90048 (310) 854-8734	\$10,222.50
Municipal Legislation / Projects	

Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
Bibo lounge Bibo lounge		No agencies lobbied this quarter	\$0.00
Dome/Arclight Complex		No agencies lobbied this quarter	\$0.00
Hollywood Pacific/6541 Hollywood Boulevard		No agencies lobbied this quarter	\$0.00
Robertson		City Council; Building and Safety; Planning, City	\$10,222.50

Client Name and Contact Inf	· · · · · · · · · · · · · · · · · · ·		Total Payments
NIKE, INC. One Boweman Dr. Beaverton, OR 97005 (503) 6716453			\$17,348.00
Municipal Legislation / Proj	ects		
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
Arizona Place		Building and Safety; Planning, City	\$17,348.00

Client Name and Contact Info	Total Payments
OXFORD CAPITAL GROUP 350 W. Hubbard Suite 440 Chicago , IL 60654 (312) 7559500	\$13,580.00
Municipal Legislation / Projects 68	



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Description	Reference	City Agencies	Project-related
	Number(s)	Lobbied	Amount
Godfrey Hotel Hollywood		Building and Safety; Planning, City	\$13,580.00

Client Name and Contact Info			Total Payments
PRIME/CRDF MISSION HILLS, LLC 201 S Figueroa Street, Suite 300 Los Angeles, CA 90012 (310) 652-1177			\$1,715.00
Municipal Legislation / Projects			
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
Olivo Mission Hills/10310 Sepulveda Boulevard		City Council; Building and Safety	\$1,715.00

Client Name and Contact Info			Total Payments
REALM GROUP LLC 1201 Dove Street, Suite 520 Newport Beach, CA 92660 (949) 9751122			\$21,401.00
Municipal Legislation / Projects			
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
Fashion District Tower		Neighborhood Councils	\$21,401.00

Client Name and Contact Info			Total Payments
RELEVANT GROUP LLC 1605 No. Cahuenga Blvd. Hollywood, CA 90028 (323) 466-1400			\$59,815.00
Municipal Legislation / Projects			
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
General Real Estate		No agencies lobbied this quarter	\$0.00
Morrison Hotel		City Council; Building and Safety; Housing and Community Investment; Planning, City	\$59,815.00

Client Name and Contact Info			Total Payments
RYDA VENTURES LLC 1525 S. Broadway Los Angeles, CA 90015 (213) 2266454			\$4,143.00
Municipal Legislation / Projects			
Description	Reference Number(s) ⁹	City Agencies Lobbied	Project-related Amount



LOBBYING FIRM QUARTERLY REPORT Form 34

3301-3317 Sunset	No agencies lobbied this quarter	\$0.00
510 S. Broadway	No agencies lobbied this quarter	\$0.00
8016 W. 3rd	No agencies lobbied this quarter	\$0.00
810 E. 3rd	Planning, City	\$4,143.00

Client Name and Contact Info			Total Payments
HAPPELL LIBERTY INVESTMENT PROPERTIES, LLC 383 Wilshire Boulevard, Suite 700 severly Hills, CA 90211 323) 988-7590			\$52,706.75
Municipal Legislation / Projects		-	
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
Porter Ranch - Town Center		No agencies lobbied this quarter	\$0.00
Village at Porter Ranch		City Council; Planning, City	\$52,706.75

Client Name and Contact In	· o		Total Payments
SKID ROW HOUSING TRUST 1317 E. 7th Street Los Angeles, CA 90021 (213) 6830522			\$0.00
Municipal Legislation / Proj	ects		
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
St. Mark's		No agencies lobbied this quarter	\$0.00

Client Name and Contact Info			Total Payments
SOUTHERN CALIFORNIA AMBULANC 2931 W. Valley Blvd. Alhambra, CA 91803 (323) 9671322	E		\$0.00
Municipal Legislation / Projects		·	
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
County License		No agencies lobbied this quarter	\$0.00

Client Name and Contact Info			Total Payments
TRAMMELL CROW RESIDENTIAL 5790 Fleet Street, Suite 140 Carlsbad, CA 92008 (760) 431-3366			\$64,188.57
Municipal Legislation / Projects			
Description	Reference Number(s)()	City Agencies Lobbied	Project-related Amount



LOBBYING FIRM QUARTERLY REPORT Form 34

Alexan 1910 Temple and 330 N. Westlake	No agencies lobbied this quarter	\$0.00
Maple Multi-Family Development L.L.C.	City Attorney, Office of; Planning, City	\$64,188.57

Client Name and Contact Info			Total Payments
URBAN OFFERINGS 11400 W. Olympic Blvd., SUite 850 Los Angeles, CA 90064 (310) 4277432			\$0.00
Municipal Legislation / Projects			
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
7th and Maple		No agencies lobbied this quarter	\$0.00
General		No agencies lobbied this quarter	\$0.00

Client Name and Contact Info			Total Payments
WATERMARK WESTWOOD VILLAGE LLC 2020 W. Rudasil Road Tucson, AZ 85704 (520) 6155243 Municipal Legislation / Projects			\$73,668.75
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
Westwood		City Council	\$73,668.75

Client Name and Contact Info			Total Payments
WESTLAND PARTNERS INC 433 N. Camden Drive, Suite 810 Beverly Hills , CA 90210 (310) 2479055			\$15,308.34
Municipal Legislation / Project	s		
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
6344 Arizona Circle Kennel		City Council; Planning, City	\$15,308.34

Client Name and Contact Info			Total Payments
WP WEST DEVELOPMENT ENTERPRISES 17771 Cowan Avenue, Suite 200 Irvine, CA 92614 (713) 454-4367			\$0.00
Municipal Legislation / Projects			
Description	Reference Number(s)	City Agencies Lobbied	Project-related Amount
General		No agencies lobbied this quarter	\$0.00



LOBBYING FIRM QUARTERLY REPORT Form 34

Liner LLP FOR THE CALENDAR QUARTER ENDING **Mar 31, 2017**

Total Payments From Clients:\$1,019,936.33

Subject: **IMPORTANT UPDATE** Skid Row Neighborhood Council

From: "Estela Lopez" <beatus821@gmail.com>

Date: 03/20/2017 05:29 PM

To: "'kent hawkins'" <kent@statewideacqcorp.com>, "'Elizabeth Peterson'" <elizabeth@epgla.com>, "'lenni Harris'" <iharris@ATLAS-CAP.COM>, "'Carolyn Leslie'" <cleslie@ATLAS-CAP.COM>, "'Joanne'" <jkumamoto@aol.com>, <ellenendo@yahoo.com>, "Josh Albrektson" <joshraymd@gmail.com>, "'John Howland'" < jhowland@ccala.org >, "'Nick Griffin'" < ngriffin@downtownla.com >, <blairbesten@gmail.com>, <robertnewman2@gmail.com>, "'Rena Leddy'" <rena@fashiondistrict.org>, <dan.curnow@gmail.com>, "'Relissa'" <relissagreer@yahoo.com>, "'Melissa Martinez'" <melissa@superiorseafoodco.com>, <jc@downtownventure.com>, "'Karen Christopherson'" <Karen@aimanagementco.com>, <samkogp@sbcglobal.net>, <shirley@seawin.com>, "'Merle Ojiri'" <MOjiri@yamasafishcake.com>, <rose.park@lanystyle.com>, <miguel@marvimon.com>, <nasirk@sbcglobal.net>, "'Jessica Lall'" < JLall@ccala.org>, "'Marie Rumsey'" <mrumsey@ccala.org>, "'Tanner Blackman'" <tblackman@kindelgagan.com>, "'George Yu'" <geoyu28@aol.com>, <Charlie@Megatoys.com>, "'Peklar Pilavjian'" <peklar@live.com>, "Bob Smiland" <bsmiland@inner-cityarts.org>, "Dilip Bhavnani" <dilip@sunscopeusa.com>, "Don Steier" <donsteier@gslawla.com>, "Drew Bauer" <DrewBauer@YoungsHoldings.com>, "Ernie Doizaki" <edoizaki@kansasmarine.com>, "Howard Klein" <howard.klein@oceanbeauty.com>, "Larry Rauch" <lrauch@lacold.com>, "Mark Shinbane" <marks@ore-cal.com>, "Matt Klein" <mklein@hbkinv.com>

Everyone,

Just a quick update on the meeting this afternoon at City Hall. This issue was before the Board of Neighborhood Commissioners. Thank you to each of you who were there in person to testify to the failure of proper notice and extreme limitations on voter engagement. All of your testimonies will now go into the public record together with the letter prepared by Rocky Delgadillo, and will form the basis for challenging the City's process thus far.

Rocky was there as well and testified on behalf of United Downtown LA, the organization that is representing YOU stakeholders in the proposed boundaries who believe they have been disenfranchised by this process.

In the end, the Board of Neighborhood Commissioners took no action. Their position is that they have no jurisdiction to postpone the election.

The next IMMEDIATE step is to call on Councilman Jose Huizar to support the community's call for a postponement of this election. Call or email the Councilmember TODAY. Below and attached are brief bullet points you can use. The Councilmember can be reached at 213-473-7014 and at jose.huizar@lacity.org.

The next and final community "town hall" meeting is scheduled for Wednesday, March

1 of 2 10/01/2017 02:50 PM

29 at 6pm. It was announced today that the location for this meeting has changed. It will now take place at the headquarters of the **LA Community Action Network (LA CAN), 838 E. 6th Street**.

This is a serious campaign. At stake is your voice and your vote. If you have not already contributed, please make your checks payable to:

<u>United Downtown Los Angeles LLC</u>

Suggested talking points (also see attached):

- · I am a business owner/property owner within the boundaries of the proposed Skid Row Neighborhood Council.
- I am extremely concerned about the lack of notice and numerous flaws in the process conducted thus far by the Department of Neighborhood Empowerment.
- · I am one of a very large group of stakeholders who did not receive any information from the City about this proposal. We do not know what this means for us, who is for or against this proposal, or why this is being proposed.
- We are now learning that the election is April 6. We have also learned that the election will be held in one location for four hours. That is an impossible situation for the many persons affected by the outcome of this election.
- It seems to us that our right to be informed and our right to vote in a City election is being completely violated.
- This election must be suspended until such time that there is adequate information, notification and opportunity for all interested stakeholders to vote.

Cordially,

Estela Lopez Downtown Industrial District BID 725 Crocker St. Los Angeles, CA 90021 213-228-8484

- Attachments:	
Attachments.	
Main points.pdf	11 O V D
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Complaint to the Los Angeles Ethics Commission regarding unregistered lobbying and a potential violation of State conflict of interest laws by Rena Leddy

September 29, 2017

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¹Note that blue text indicates clickable links internal to this document whereas green text indicates clickable links to resources on the Internet.

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1 Synopsis

- 1. In this complaint I allege that Rena Leddy, executive director of the Fashion District BID in Los Angeles, was compensated for more than 30 hours of lobbying activity over three months in 2017, that this triggered the lobbyist registration requirement in the Municipal Lobbying Ordinance, and that she failed to register.
- 2. I also argue that if Leddy was in fact required to register as a lobbyist then her employer, the Fashion District BID, was required to register as a lobbyist employer, which they have not done.
- 3. Finally, I argue that the fact that she serves on the board of directors of the Downtown Los Angeles Neighborhood Council at the same time that her employer pays her to influence the government of Los Angeles creates conflicts of interest in violation of State laws. This is especially troubling, and most clearly illegal, when she votes on motions in the neighborhood council that her employer has paid her to advocate for, a situation which has provably occurred at least once.

2 Jurisdiction

4. This complaint alleges violations of both the City's Municipal Lobbying Ordinance and the laws of the State of California governing conflicts of interest for public officials. The Los Angeles City Charter at §706 grants the Ethics Commission the power and the duty to investigate such matters:

The commission shall conduct investigations of alleged violations of state law, the Charter and City ordinances relating to campaign financing, lobbying and conflicts of interest and governmental ethics.

3 Background

- 5. Business improvement districts ("BIDs") are a form of special assessment district in California. They're authorized and regulated by the Property and Business Improvement District Act of 1994 ("PBID Law").
- 6. The Fashion District Business Improvement District ("FDBID") is a business improvement district ("BID") in the City of Los Angeles. Rena Leddy is the executive director of the FDBID. Technically her employer is the Downtown Los Angeles Property Owners' Association, which is a nonprofit corporation that contracts with the City of Los Angeles to manage the FDBID.
- 7. The Downtown Los Angeles Neighborhood Council ("DLANC") is a neighborhood council in the City of Los Angeles. The FDBID lies within the boundaries of DLANC. Rena Leddy is a member of the Board of Directors of DLANC ("DLANC Board").

4 Advocacy by Fashion District BID staff

4.1 Facts

- 8. On March 31, 2017 the board of directors of the FDBID met to set their future priorities. They overwhelmingly agreed that "advocacy" was their top priority. This is to include such City matters as:
 - (a) Public Space Management
 - (b) Pedestrian Experience
 - (c) DTLA 2040
 - (d) Vehicular/Bike/Pedestrian Connectivity
 - (e) Infrastructure

See Exhibit 1 on page 21.

9. The anonymous author of this document expanded on the kinds of advocacy envisioned:

With DTLA 2040 on the horizon, the Fashion District needs to be fundamentally proactive in the future of the District. Zoning modifications, allocation of public resources to address infrastructure issues, public benefit priorities, grants and partnerships were all discussed as integral to the future.

10. According to this document, FDBID staff spend 40-60% of their time on advocacy.²

4.2 Conclusions

- 11. The PBID Law at §36625(a)(6) prohibits BIDs from spending money on activities outside their district.³ Thus it's reasonable to conclude that the advocacy described above in Section 4.1 has to do with City of Los Angeles matters.⁴
- 12. Assuming the minimum figure of 40% yields 16 hours per week of advocacy per FDBID staff member, or 64 hours per month. As stated above in Paragraph 11, the law requires that such advocacy be restricted to City of Los Angeles matters. However, even correcting for potential advocacy unrelated to City of Los Angeles matters it's highly likely even without a detailed analysis of time they spend lobbying that each FDBID staff member who engages in attempts to influence City matters engages in such activity for 10 hours per month.

 $^{^2}$ "The Board and staff understand the importance of advocacy in all of the work of the organization. They spend 40-60% of their time on building relationships and advocating on behalf of the Fashion District..."

³ "The revenue from the levy of assessments within a district shall not be used to provide improvements, maintenance, or activities outside the district..."

⁴ This restriction is occasionally ignored by BIDs. For instance, they will vigorously lobby the State Legislature with matters to do with BIDs and with other issues that concern them, e.g. homelessness. However, my experience shows that such advocacy constitutes a very small part of the activities of BIDs in general and of the FDBID in particular. Their advocacy has almost exclusively to do with City matters.

5 Rena Leddy's violations

5.1 Lobbying between March and May 2017

5.1.1 Background on specific issues

5.1.1.1 The Skid Row Neighborhood Council

- 13. In December 2016 the Skid Row Neighborhood Council-Formation Committee ("SRNC-FC") applied to the Los Angeles City Department of Neighborhood Empowerment ("DONE") for the formation of a Skid Row Neighborhood Council ("SRNC"). This effort was opposed by many Downtown property owners, who hired Liner LLP in the person of Rocky Delgadillo to lobby against it.
- 14. The proposed SRNC overlaps the boundaries of the FDBID, which opposed the formation effort in March 2017. As part of their opposition, the FDBID also lobbied the City to allow online voting in the SRNC formation election, to allow so-called "pop-up polls" for the election, and to postpone the election, which was scheduled for April 6, 2017.

5.1.1.2 FDBID Renewal

- 15. The Fashion District BID is due to renew on January 1, 2019. The process of renewing a BID includes, among other things, two separate ordinances that must be passed by the City Council. Due to the complexity of the renewal process BIDs usually hire an outside consultant to help guide the matter through the City bureaucracy, to prepare the materials necessary to secure Council's approval, and to advocate for the successful renewal.
- 16. The FDBID's consultant is Urban Place Consulting ("UPC"). Because the goal of the renewal process is to secure passage of two ordinances, the fact that both UPC and FDBID staff are compensated for their work on this matter means that they're engaging in lobbying activity while doing so.

5.1.1.3 DTLA 2040

- 17. The City of Los Angeles is working on updating community plans for Downtown Los Angeles. The City has named this process "DTLA 2040." Los Angeles city planner Bryan Eck is the DTLA 2040 contact person.
- 18. The new plan will determine what kinds of development projects will be allowed, encouraged, subsidized, or forbidden by the City. It is the subject of intense attempts to influence on the part of many groups, including the Central City Association of Los Angeles ("CCALA"). It is uncontroversial that compensated efforts to influence the content of DTLA 2040 are lobbying activity. For instance, CCALA regularly includes its work on this issue on its lobbying disclosure forms.

⁵ The details are described at http://www.dtla2040.org/.

19. At their 2017 retreat in March the FDBID board of directors identified advocacy on DTLA 2040 as one of the BID's highest priorities. The summary report stated:

With DTLA 2040 on the horizon, the Fashion District needs to be fundamentally proactive in the future of the District. Zoning modifications, allocation of public resources to address infrastructure issues, public benefit priorities, grants and partnerships were all discussed as integral to the future.

See Exhibit 1 on page 21.

5.1.1.4 City Market South

- 20. City Market is a massive development project in the Fashion District, comprising multiple buildings and covering an entire City block. The first phase of the project is called "City Market South." A project of this size requires innumerable approvals, entitlements, conditional use permits, and other discretionary permissions from the City, which are advocated for by, among many others, Rena Leddy.
- 21. Fashion District board member Mark Levy is the president of City Market South.⁶

5.1.2 Timeline of known lobbying activity between March and May 2017

5.1.2.1 March 2017

- 22. March 10, 2017 10:00 11:30 a.m. Rena Leddy participated in CCALA's DTLA 2040 working group meeting. See Exhibit 13 on page 75 for a description of another DTLA 2040 meeting for evidence that attending these meetings counts as lobbying activity. Also see See Exhibit 2 on page 26 (page 11 in the internal document numbering). Estimated time: 1.5 hours.
- 23. March 20, 2017 11:00 a.m. Rena Leddy participated in a conference call with Estela Lopez⁷ and Rocky Delgadillo to discuss the SRNC. See Exhibit 2 on page 26 (page 13 in the internal document numbering). Estimated time: 1 hour.
- 24. March 20, 2017 11:44 a.m. Rena Leddy emailed Scott Yamabe⁸ about the SRNC, attaching a number of documents, including a letter by lobbyist Rocky Delgadillo to the Board of Neighborhood Commissioners ("BONC") opposing the matter. See Exhibit 3 on page 41. Estimated time: 0.125 hours.
- 25. March 20, 2017 12:24 p.m. Rena Leddy emailed a large group of FDBID property owners to inform them of the existence of the SRNC-FC and the upcoming election. In this email she encouraged them to oppose the formation effort, gave them talking points, and encouraged them to contact José Huizar in opposition. She also informed

⁶ See City Market speeds Fashion District's turn to booming downtown neighborhood by Roger Vincent in the L.A. Times, September 8, 2017.

⁷ Executive director of the Central City East Association, another BID in Downtown Los Angeles.

⁸ A manager at the Los Angeles Flower District, which is part of the FDBID.

- them of a BONC⁹ meeting that afternoon and encouraged them to come speak in opposition. See Exhibit 4 on page 43. Estimated time: **0.125 hours**.
- 26. March 20, 2017 1:00 p.m. Rena Leddy attended a meeting of the BONC and spoke in opposition to the SRNC. See Exhibit 5 on page 45 (see item 11 on page 4 in the internal document numbering). Estimated time: 1.75 hours. 10
- 27. March 20, 2017 4:41 p.m. Rena Leddy emailed FDBID Board member Debbie Welsch thanking her for sending a template for an opposition letter to José Huizar and stating that she would distribute it to the other Board members. See Exhibit 6 on page 54. Estimated time: 0.125 hours.
- 28. March 24, 2017 10:00 11:30 a.m. Rena Leddy participated in CCALA's DTLA 2040 working group meeting. See Exhibit 13 on page 75 for a description of another DTLA 2040 meeting for evidence that attending these meetings counts as lobbying activity. Also see Exhibit 2 on page 26 (page 13 in the internal document numbering) for the date and time of this meeting. Estimated time: 1.5 hours.
- 29. March 29, 2017 Rena Leddy was introduced to Tim Fremaux of the Los Angeles Department of Transportation ("LADOT") by Nate Hayward, Public Projects manager for CD14 representative José Huizar. Leddy subsequently organized a meeting with Fremaux and Estela Lopez to discuss bike lanes on San Pedro Street. See Exhibit 7 on page 57. See Exhibit 10 on page 66 for a description of the content of the meeting, making it clear that it constituted lobbying activity. Estimated time: 0.25 hours.
- 30. March 29, 2017 Rena Leddy was quoted in an article in Urbanize.la about the SRNC, showing that she was interviewed by a reporter on this matter. See Exhibit 8 on page 60.¹¹ Estimated time: 0.5 hours.
- 31. March 30, 2017 10:30 11:30 a.m. Rena Leddy spoke with UPC about the ongoing FDBID renewal process. See Section 5.1.1.2 on page 6 for the argument that this is lobbying activity. See Exhibit 2 on page 26 (page 14 in the internal document numbering). Estimated time: 1 hour.
- 32. March 31, 2017 9:00 a.m. 2:00 p.m. Rena Leddy attended the FDBID board retreat. This included setting an advocacy agenda, soliciting the opinions of board members on what issues the FDBID staff should advocate, positions to be taken on these issues, and so on. See Exhibit 1 on page 21 and Exhibit 2 on page 26 (page 14 in the internal document numbering). Estimated time: 5 hours.

⁹ Which she erroneously referred to as DONE in this email.

 $^{^{10}}$ The meeting began at 1:00 p.m. It's likely that Rena Leddy was present at the beginning because it's hard to know when a particular item will be called. The minutes show that this item was called at 1:55 p.m. and finished with at 2:40 p.m.

¹¹ I only included the first two pages here in order to save space. The complete original article is: Voting Begins for Skid Row Neighborhood Council Petition.

5.1.2.2 April 2017

- 33. April 6, 2017 12 noon 1:30 p.m. Rena Leddy attended a CCALA Executive committee meeting with Los Angeles City Attorney Mike Feuer in attendance to discuss City policy toward homeless people and other related City matters. See Exhibit 2 on page 26 (page 15 in the internal document numbering) for the time and Exhibit 10 for the content. Estimated time: 1.5 hours.
- 34. **April 11, 2017 2:30 3:30 p.m.** Rena Leddy met with Tim Fremaux of LADOT to discuss bike lanes on San Pedro Street. See Exhibit 7 on page 57. See Exhibit 10 on page 66 for a description of the content of the meeting, making it clear that it constituted lobbying activity. See Exhibit 2 on page 26 (page 16 in the internal document numbering). Estimated time: **1 hour**.
- 35. April 12, 2017 12:00 noon 1:30 p.m. Rena Leddy met with Downtown Los Angeles neighborhood prosecutor Kurt Knecht. See Exhibit 2 on page 26 (page 16 in the internal document numbering) for proof of meeting. The subject of the meeting is not given, but in early April 2017 Knecht was working closely with the FDBID and its neighbor, the Downtown Industrial District BID, on shaping LAPD enforcement against homeless people blocking sidewalks. An example of the issues at stake in this discussion may be found in Exhibit 9 on page 63. Sidewalk blocking by the homeless is one of the advocacy priorities established by the FDBID board at its March 31 retreat. See Paragraph 8 above, where it is called "Public Space Management." It's also possible that this is the meeting described in Exhibit 10 under the heading "Neighborhood Prosecutor Meeting." If so, it clearly constitutes lobbying activity. According to that document, they:

... discussed issues that are impacting the Fashion District such as the future of marijuana clinics, homeless encampments and sidewalk access. We will be meeting again to get more involved in any zoning or regulations related to the new laws legalizing marijuana and where shops will be located.

Estimated time: 1.5 hours.

- 36. **April 21**, **2017** Rena Leddy wrote a formal position letter expressing the FDBID's approval of proposed bike lanes on San Pedro Street. See Exhibit 11 on page 69. Estimated time: **0.5 hours**.
- 37. **April 21, 2017 1:30 2:30 p.m.** Rena Leddy participated in a phone call having to do with the FDBID's renewal. See Section 5.1.1.2 on page 6 for the argument that this is lobbying activity. See Exhibit 2 on page 26 (page 17 in the internal document numbering). Estimated time: 1 hour.
- 38. April 26, 2017 8:30 10:00 a.m. CCALA homeless policy meeting. This is one of FDBID's advocacy issue, and at these meetings Rena Leddy and the CCALA discuss talking points, strategies, and so on. See Exhibit 2 on page 26 (page 18 in the internal document numbering). While I don't have a description of what took

place at this particular homeless policy meeting, there is a description of one from February¹² which shows that this is clearly lobbying activity. See Exhibit 10 on page 66. Estimated time: **1.5 hours**.

- 39. April 27, 2017 10:00 11:30 a.m. Fashion District Renewal Committee meeting. See Section 5.1.1.2 on page 6 for the argument that this is lobbying activity. See Exhibit 2 on page 26 (page 18 in the internal document numbering). Estimated time: 1.5 hours.
- 40. **April 28, 2017 10:00 11:30 a.m.** Rena Leddy and three FDBID board members participated in CCALA's DTLA 2040 working group meeting. See Exhibit 13 on page 75 for a description of this meeting for evidence that it counts as lobbying activity. Just for instance:

Bryan Ek, the City Planner charged with the Community Plan update was in attendance and he welcomed our comments regarding the changes to the District. We also expressed that while parking requirements might be going away for new developers, small businesses will still need to be supported by creating accessible parking. We encouraged the City to included shared public parking garages, like those found in Old Pasadena or Santa Monica.

Also see Exhibit 2 on page 26 (page 18 in the internal document numbering) for the date and time of the meeting. Estimated time: **1.5 hours**.

5.1.2.3 May 2017

41. **May 2, 2017 11:00 - 11:30 a.m.** – Rena Leddy attended a Conditional Use Permit hearing for the City Market South project. ¹³ That she spoke in favor of City Market South's position is stated in Exhibit 13 on page 75:

Rena attended two public hearings in support of the City Market South project.

See Exhibit 2 on page 26 (page 19 in the internal document numbering) for the date and time. Estimated time: **0.5 hours**.

42. May 17-23, 2017 – Between May 17 and May 23 Rena Leddy exchanged emails with city planner Bryan Eck, who is presently in charge of the DTLA 2040 project, about setting up a meeting between him and property owners in the Fashion District. I don't have evidence of the content of the intended meeting, but given that advocacy on DTLA 2040 was determined by the FDBID board of directors to be one of their highest priorities (see Section 5.1.1.3 for evidence of this) it's certain that a, if not the, purpose of the meeting was to influence the DTLA 2040 process, so that arranging

¹² I believe the meeting described there took place in February, but the date isn't important for the validity of the description.

¹³ See Section 5.1.1.4 on page 7 for a description of this issue.

- the meeting is lobbying activity. See Exhibit 12 on page 71 for the email exchange. Estimated time: **0.25** hours. 14
- 43. May 17, 2017 10:30 11:30 a.m. Rena Leddy attended another hearing for the City Market South project. ¹⁵ That she spoke in favor of City Market South's position is stated in Exhibit 13 on page 75:

Rena attended two public hearings in support of the City Market South project.

See Exhibit 2 on page 26 (page 21 in the internal document numbering) for the date and time. Estimated time: 1 hour.

- 44. May 17, 2017 12 noon 12:30 p.m. and May 23, 2017 2:00 2:30 p.m. On both of these days Rena Leddy met with Vanessa Kanegai. Kanegai is a vice president of Wagstaff Worldwide, a "travel and hospitality marketing" firm. See Exhibit 14 on page 79. The first meeting is labeled "Re: City Market" in Leddy's calendar and the second is labeled "City Market South L.A. Times Article Prep (Conf Call) Vanessa Kanegai." It appears that Leddy was doing press relations in support of City Market South, which is lobbying activity. See Exhibit 2 on page 26 (pages 21 and 22 in the internal document numbering). Estimated time: 1 hour.
- 45. May 17, 2017 2:30 3:30 p.m. Rena Leddy was interviewed by Deborah Belgum of Apparel News on development in the Fashion District including, in particular, City Market South. The resulting article appeared on May 25. ¹⁶ This interview constitutes press relations in support of the BID's pro-development agenda and its issue advocacy concerning homelessness and street vending. See Exhibit 15 on page 81. Estimated time: 1 hour.
- 46. May 19, 2017 10:00 11:30 a.m. Rena Leddy participated in CCALA's DTLA 2040 working group meeting. See Paragraph 40 on page 10 above for evidence that this is lobbying activity. See Exhibit 2 on page 26 (page 21 in the internal document numbering) for the date and time of the meeting. Estimated time: 1.5 hours.
- 47. May 25, 2017 10:00 11:30 a.m. Fashion District Renewal Committee meeting. See Section 5.1.1.2 on page 6 for the argument that this is lobbying activity. See Exhibit 2 on page 26 (page 22 in the internal document numbering). Estimated time: 1.5 hours.
- 48. May 26, 2017 3:00 3:30 p.m. Rena Leddy was interviewed by Roger Vincent of the Los Angeles Times about City Market South. According to Leddy's calendar entry, Vanessa Kanegai was involved in this interview somehow (see Paragraph 44 above for context). Roger Vincent published an article on City Market South in the L.A. Times

¹⁴ Note that the meeting itself took place in June 2017, which is outside the three months covered by this report.

¹⁵ See Section 5.1.1.4 on page 7 for a description of this issue.

¹⁶ Leading the Los Angeles Fashion District in a New Era by Deborah Belgum in Apparel News

on September 8, 2017.¹⁷ I have no way to determine if this is the result of his interview with her, but irrespective of that her interview with Vincent constitutes lobbying activity for the City Market South project. See Exhibit 2 on page 26. Estimated time: **0.5 hours**.

49. May 31, 2017 8:30 - 10:00 a.m. – Rena Leddy participated in CCALA's DTLA 2040 working group meeting. See Paragraph 40 on page 10 above for evidence that this is lobbying activity. See Exhibit 2 on page 26 (page 23 in the internal document numbering) for the date and time of the meeting. Estimated time: 1.5 hours.

¹⁷ City Market speeds Fashion District's turn to booming downtown neighborhood by Roger Vincent in the Los Angeles Times on September 8, 2017.

5.1.3 Tabular summary of lobbying chronology

March 2017	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Total Hours
Date				1	2	3	4	
Hours								
Paragraph(s)								
Date	5	6	7	8	9	10	11	
Hours							1.5	1.5
Paragraph(s)							22	
Date	12	13	14	15	16	17	18	
Hours								
Paragraph(s)								
Date	19	20	21	22	23	24	25	
Hours		3.125					1.5	4.625
Paragraph(s)		23–27					28	
April 2017	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Total Hours
Date	26	27	28	29	30	31	1	
Hours				0.75	1	5		6.75
Paragraph(s)				29,30	31	32		
Date	2	3	4	5	6	7	8	
Hours					1.5			1.5
Paragraph(s)					33			
Date	9	10	11	12	13	14	15	
Hours			1	1.5				2.5
Paragraph(s)			34	35				
Date	16	17	18	19	20	21	22	
Hours						1.5		1.5
Paragraph(s)						36,37		
Date	23	24	25	26	27	28	29	
Hours				1.5	1.5	1.5		4.5
Paragraph(s)				38	39	40		
May 2017	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Total Hours
Date	30	1	2	3	4	5	6	
Hours			0.5					0.5
Paragraph(s)			41					
Date	7	8	9	10	11	12	13	
Hours								
Paragraph(s)								
Date	14	15	16	17	18	19	20	
Hours				3.25		1.5		4.75
Paragraph(s)				42–45		46		
Date	21	22	23	24	25	26	27	_
Hours					1.5	0.5		2.0
Paragraph(s)					47	48		
Date	28	29	30	31				
Hours				1.5				1.5
Paragraph(s)				49				
Grand Total								31.625

5.1.4 Conclusions

50. As shown above in Section 5.1.2, between March and May 2017 Rena Leddy engaged in at least 30 hours of compensated lobbying activity including contacts with City

officials in attempts to influence municipal legislation.

- 51. Some of the times used above to argue that Leddy met the 30 hour registration requirement are estimates. However, as shown above in Section 4, Fashion District staff claim that they spend a minimum of 40% of their time doing advocacy. Thirty hours over three months is only 6.25% of the 480 hours constituting a full-time schedule. Thus even if the times associated with the particular instances of advocacy that I've managed to identify are wrong, it's implausible by her own admission that Leddy didn't engage in at least 30 compensated hours over the three months in question.
- 52. Leddy failed to register with the CEC as a lobbyist based on her work between March and May 2017 and so was in violation of the MLO.
- 53. If Leddy was required to register as a lobbyist then her employer, the Fashion District BID, ¹⁸ was required by the MLO to register as a lobbyist employer. They have not done so and so are in violation of the MLO.

5.2 Conflict of interest

5.2.1 Laws

5.2.1.1 Neighborhood council board members and conflict of interest

54. According to the Los Angeles City Attorney, NC board members are bound by commonlaw conflict of interest rules developed by the California judiciary. This advice sheet for NC board members states that:

Board members of neighborhood councils who are given government decision-making authority, must comply with the following conflict of interest laws: ... the common-law conflict of interest rules.

See Exhibit 20 on page 105 (page 1 in the internal document numbering).¹⁹

55. According to the Los Angeles City Attorney, "government decision-making authority" in this context means such things as:

... hiring staff, entering into contracts for goods or services or control over funds in the City budget.

See Exhibit 20 on page 105 (page 2 in the internal document numbering).

56. According to the Los Angeles City Attorney, these conflict of interest laws apply even for advisory recommendations made by neighborhood councils:

 $^{^{18}}$ Her employer is actually the Downtown Los Angeles Property Owners Association rather than the BID itself, as discussed above in Paragraph 6 on page 4

¹⁹ I only included the first two pages for the sake of space. The entire document is available here.

Once a neighborhood council board member has been delegated the authority to make "governmental decisions," as enumerated above, on behalf of its neighborhood council, even the member's votes on "non-governmental" or purely advisory recommendations will be subject to the conflict-of-interest provisions.

See Exhibit 20 on page 105 (page 2 in the internal document numbering).

57. The City Attorney states specifically that these laws apply to advisory recommendations to city Planning Commissions:

...a board member who makes "governmental decisions" must also be cognizant of, and comply with, the disqualification rules even when making a purely advisory recommendation, for example, to a City Council Committee or Area Planning Commission regarding a conditional use permit for a project located within the boundaries of that Neighborhood Council.

See Exhibit 20 on page 105 (page 2 note 3 in the internal document numbering).

5.2.1.2 Common law conflict of interest prohibitions

58. California common law conflict of interest prohibitions seem to rely on a principle stated in Noble v. City of Palo Alto²⁰ to the effect that:

A public officer is impliedly bound to exercise the powers conferred on him with disinterested skill, zeal, and diligence and primarily for the benefit of the public

59. Also on a principle stated in Nasha LLC v. City of Los Angeles²¹ to the effect that:

The essential issue presented is whether the Planning Commission's decision should be set aside due to an unacceptable probability of actual bias on the part of one of the decisionmakers. While this matter was pending before the Planning Commission, one of its members authored an article attacking the project under consideration. Accordingly, Nasha's claim of bias is well founded.

60. These principles are interpreted by the Institute for Local Government as follows: ²²

When an official is affiliated with a nonprofit organization that has strongly held views on a matter, the official should consult with agency counsel about whether the official will be acting in a quasi-judicial capacity. If so, the official should ask him or herself if he or she can truly be fair in applying the policies

²⁰ 89 Cal.App. 47 (Cal. Ct. App. 1928)

²¹ 125 Cal. App. 4th 470; 22 Cal. Rptr. 3d 772; 2004

²² In the ILG's Commitment to Nonprofit Causes and Public Service Conflict of Interest and Bias, which is a self-study publication for the State of California's mandated ethics training for public officials.

to the specific situation. If not, stepping aside satisfies ones legal and ethical obligations.

Even if one feels one can be fair, theres another step of the analysis in terms of whether the applicant and others will perceive the official as fair. Has the official made statements that suggest that the official has pre-judged the matter? Is there evidence that could be presented to a court to suggest bias? If so, it may be wise to step aside from the decisionmaking process.

5.2.2 Facts

5.2.2.1 Rena Leddy represents the FDBID on DLANC

- 61. The bylaws of DLANC²³ specifically include the staff of BIDs as "business stakeholders." There is one seat on the DLANC board reserved for a business stakeholder from the Fashion District.
- 62. Rena Leddy ran for this seat in March 2016. Her candidacy was announced at a FDBID Board meeting by Kent Smith, who was the executive director at that time. He stated that: "...property owners/tenants should make sure they vote." See Exhibit 16 on page 86 (specifically item 11).
- 63. Her candidacy was discussed again before the FDBID Board of Directors in April 2016. It was stated explicitly at this time as part of a solicitation for votes in her favor that she would be representing the FDBID on the DLANC Board.²⁴ See Exhibit 17 on page 89.
- 64. By May 2016 Leddy had been elected to the DLANC Board. This was announced before the FDBID Board on May 19 and it was again stated that she would be representing the BID on the DLANC Board.²⁵ See Exhibit 18 on page 91.

5.2.2.2 City Market South

- 65. In her capacity as FDBID executive director, Rena Leddy has advocated in favor of City Market South. See Paragraph 41, Paragraphs 42–45, and Paragraph 48 above. Note that all of this advocacy took place in May 2017.
- 66. In June 2017 an application by City Market South to the Los Angeles Department of City Planning for various discretionary permissions came before the DLANC Board of Directors. The motion was for DLANC to submit a letter of support for the application.

 $^{^{23}}$ The bylaws are available on Archive. Org here: $\label{eq:https://archive.org/download/DLANCBylaws/DLANC\%20Approved\%20Bylaw\%20Amendments\%20072015D.pdf.$ I'm not including them in this document in order to save space.

²⁴ "Rena Leddy, LA Fashion District BID Managing Director, is running for the Downtown Neighborhood Council's business seat, representing the BID."

²⁵ "In a contested race, Rena Leddy, LA Fashion District BID Managing Director, won the Neighborhood Council's business seat, representing the BID. She begins representing the business community at the July Meeting."

This motion was one of a number of such motions seeking letters of support. A board member moved that all the applications be bundled. Rena Leddy seconded this motion. The board then unanimously approved all letters of support including the one for City Market South. See Exhibit 19 on page 93. Specifically see item (d)(ii) on page 7 in the original document numbering.²⁶

5.2.2.3 Rena Leddy makes government decisions as a member of DLANC's board

67. On June 13, 2017 the DLANC board, including Rena Leddy, voted to approve an expenditure of \$783.20. This is an exercise of control over City funds.

5.2.3 Conclusions

- 68. Because Rena Leddy makes government decisions as a member of DLANC's board,²⁷ she is, according to the Los Angeles City Attorney,²⁸ subject to State conflict of interest prohibitions with respect to advisory decisions made by DLANC's board, including the June 2017 motion on an application by City Market South for various entitlements.²⁹
- 69. Leddy "represents" the FDBID, a non-profit "with strongly held views" on the City Market South matter, on DLANC³⁰ and is also employed by the FDBID to advocate with the City in favor of City Market South. She carried out significant advocacy in May 2017 prior to voting in favor of a letter of support for City Market South.³¹ This casts significant doubt on her ability to deliberate without bias on this particular issue in her role with DLANC.
- 70. Leddy's failure to recuse herself is therefore a violation of conflict of interest prohibitions which apply to her as a member of DLANC.

5.2.4 Other considerations

71. It's at least possible that Rena Leddy's dual role as a paid advocate for the FDBID and as a member of the DLANC board of directors violates other conflict of interest prohibitions, such as the Political Reform Act's prohibition against government officials participating in decisions in which they have a financial interest. I am not sufficiently well-versed in this law to make a case either for or against the position that she did indeed violate this or other similar laws. However, I hope the CEC will look into this aspect of the case if it seems to the experts to have merit.

²⁶ Note that in the vote approval tally Rena Leddy's name is followed by the notation "(alt.)" This typically means that an alternate voted instead of the Board member. In this case, though, Leddy's physical presence is proved by the fact that she seconded the motion to bundle (see p. 10 in the original document numbering). Leddy was late to the meeting, which may be why she was erroneously labeled "(alt.)"

²⁷ See Paragraph 5.2.2.3.

²⁸ See Section 5.2.1.1.

²⁹ See Section 5.2.2.2.

³⁰ See Section 5.2.2.1.

³¹ See Section 5.2.2.2.

5.3 Speculations on the idea of DLANC board membership as lobbying activity

72. Part of DLANC's mission is:

To facilitate communication between the City and Community Stakeholders on issues of concern to the community and/or the Stakeholders.

See DLANC Bylaws page 4 paragraph II.A.3.

- 73. DLANC's policies include:
 - **c.** Representing community interests in dealings with the City of Los Angeles and other government jurisdictions;
 - **d.** Monitoring and communicating with City employees and departments that serve Downtown;
 - f. Consulting with City officials regarding development plans Downtown;

See DLANC Bylaws page 5 paragraph II.B.7.

- 74. These activities are clearly lobbying activities under LAMC 48.02 if someone is paid to do them.
- 75. As argued above in Section 5.2.2.1, Rena Leddy's membership on the DLANC board is part of her job with the FDBID. She is paid by FDBID to advocate for certain positions, e.g. City Market South entitlements, and she carries out that advocacy via DLANC.
- 76. Thus it's not implausible to consider her work on DLANC as lobbying activity for purposes of triggering the MLO's registration requirement. However, as I'm sure this is a novel theory, I thought it would be best not to rely on it as an essential part of my case, described in Section 5.1, that Leddy was required to register as a lobbyist.

6 Requested action

- 77. I request that the Ethics Commission investigate Rena Leddy's paid advocacy during March, April, and May 2017 to determine whether or not she was required by the MLO to register as a lobbyist.
- 78. If the Ethics Commission finds that she was required to register I ask that Rena Leddy's employer, the FDBID, be investigated to determine whether they are required to register as a lobbyist employer.
- 79. I ask that the Ethics Commission investigate Rena Leddy's dual role as an employee of the FDBID and as a member of the DLANC board to determine whether she violated State conflict of interest prohibitions by voting in favor of a letter of support for City Market South after she had been compensated by her employer to advocate in favor of the issue.

- 80. I ask that the Ethics Commission consider whether or not the facts I've reported here might mean that Leddy has violated other State and/or City prohibitions against public officials acting with a conflict of interest.
- 81. I ask that the Ethics Commission issue a determination as to whether Leddy's work as a member of the DLANC board of directors constitutes lobbying activity as defined in the MLO.

7 Exhibits

7.1 Exhibit 1 – March 31, 2017 Fashion District BID Board Retreat Summary

Fashion District Board of Directors Retreat SUMMARY

March 31, 2017

On March 31, 2017, the Board of Directors of The Downtown Fashion District held a Board Retreat. Objectives of the retreat included:

- Reflect on the work and progress of the organization;
- Consider priorities for the future; and
- Establish a Vision for the District.

The retreat was facilitated by Kathleen Rawson, CEO of Downtown Santa Monica.

Workshop attendees, including Fashion District Board and Staff members, included:

Board Members	Staff Members	Guests
Mark Chatoff	Ariana Gomez	Barry Gold
Laurie Sale	Jasmine Ramos	l Hassan
Laurie Rosen	Jackie Sanchez	
Linda Becker	Randall Tampa	
Mark Levy	Rena Leddy	
Jessica Lewensztain		
Brad Luster		
Steve Hirsh		
John Remeny		
Elisa Keller		
Matthew Haverim		

The agenda for the workshop included:

- 1. Goals and Objectives for the Day
- 2. Review of an online and telephone surveys of board and staff priorities
- 3. Discussion: Brainstorm on issues and advocacy and determine priorities
- 4. Discussion: Tactics to advance top priorities

A summary of all discussion items follows.

ISSUES & PRIORITIES

Kathleen summarized the outcome of the telephone and on line surveys taken in advance of the retreat. Following that summary, the group was asked to review and expand the list of priorities The Fashion District should focus on moving into renewal and the next generation of the District. The list included:

- Clean and Safe are two programs, not one
- Marketing (Consumer, economic development, acknowledgement of changes)
- DTLA 2040
- Advocacy
- Budget
- Residential
- Social services
- Vision
- Pedestrian, vehicular connectivity
- Infrastructure
- District center identify core
- Managing uses
- Public space management
- Acknowledge and create diverse neighborhood: "We never go back the way we came, find a different route"

After developing and discussing a list of ideas, each participant was provided with five votes to apply to priorities. Votes could be applied cumulatively, individually or in any combination. Results follow:

PRIORITIES: TACTICS FOR MOVING FORWARD

The Board discussed tactics to advance each of the priority actions.

1. ADVOCACY

Taken together, advocacy issues are the overall top priority of the organization with 23 votes.

ADVOCACY	Public Space Management	23 Votes
	Pedestrian Experience	
	• DTLA 2040	
	 Vehicular/Bike/Pedestrian Connectivity 	
	Infrastructure	
CLEAN AND	Increased cleanliness throughout the District	16 Votes
SAFE	Homelessness/Anti-Social Behaviors	
	Real and Perceived Issues of Safety and Wellbeing	
MARKETING	Consumer Marketing	17 Votes
	Events/Social Media	
	Economic Development Marketing	
	 Research (i.e. sales data, ped counts etc.) 	
	Branding/ldentity	
	 Educational opportunities for Brokers, Owners and 	
	Businesspeople	

The Board and staff understand the importance of advocacy in all of the work of the organization. They spend 40-60% of their time on building relationships and advocating on behalf of the Fashion District and see it as a key tool in some of the more fundamental issues facing the future.

With DTLA 2040 on the horizon, the Fashion District needs to be fundamentally proactive in the future of the District. Zoning modifications, allocation of public resources to address infrastructure issues, public benefit priorities, grants and partnerships were all discussed as integral to the future.

Action: The Board will create an ADVOCACY AGENDA outlining the main issues to pursue and dedicate time and resources to the effort.

2. CLEAN AND SAFE PROGRAM

The Board is increasingly concerned about the lack of funds to provide key clean and safe services. Over the years there has been little or no increase in assessments paid by property owners, therefore the program has suffered due to lack of funds. It was clearly acknowledged that the services were exceptional given the budget, however the re-investment is now more important than ever. In addition, the increase in anti-social behavior and issues related to street living further burdens the limited budget

Action: The Board sees the increase in assessment for these services as crucial to the future of the District, and will work with the property owner community in the renewal process to explain and encourage support for an expanded effort.

3. MARKETING

There was significant discussion on Marketing in the district, and general consensus that the BID should have a marketing plan to address both consumer and branding, as well as economic development marketing tools and programs. Again, the Board was willing to help the broader community understand these efforts as essential for the future of the District. Ideas included:

- Assemble data and market information to provide a nuanced understanding of downtown's markets, sub-markets, opportunities and challenges. Create a "State of the Fashion District" tool for economic development efforts.
- Consider specialized data collection options such as pedestrian counters
- Bring owners, brokers, tenants and others involved with the marketplace into discussions on what is best for the District.
- Conduct a Brand Study and Identity
- Continue and enhance consumer marketing via social media and other more traditional approaches.

Action: Create a Brand marketing plan and dedicate time and resources to implement the plan.

STATEMENT OF VISON EXERCISE

With the priorities of the organization clearly laid out, the discussion then moved to the overall vision and vision statement for the District. The Board came up with a list of words and phrases to help identify the aspirational vision of the District.

Those terms included:

Dynamic economic zone

Neighborhood feel

Educational Initiatives

Eat, live, play, work friendly

Creative hub

Diversity of workers – culturally

Authentic DTLA experience

Restaurants/entertainment district

Build a community

Possible Vision Statements could include:

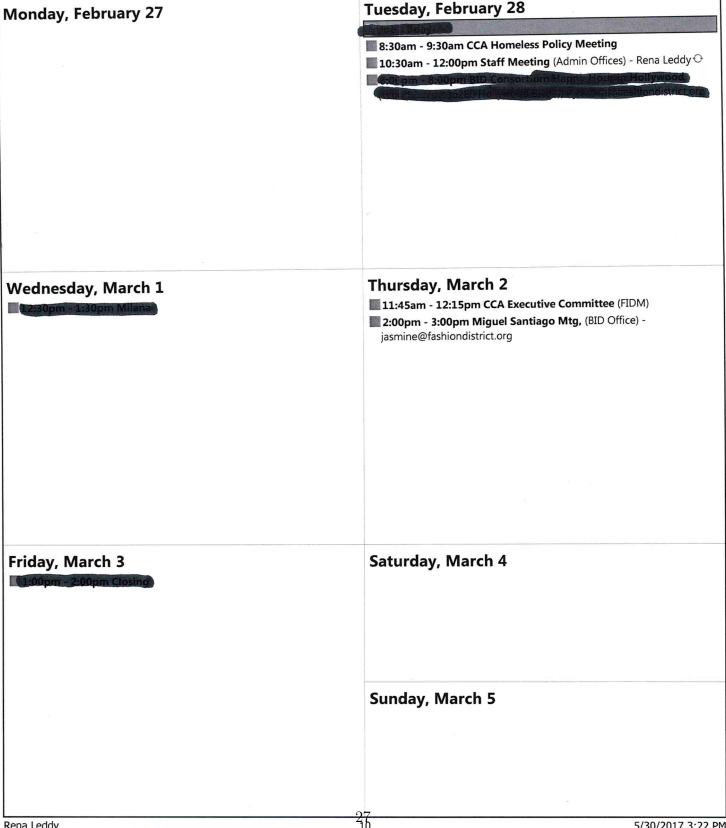
THE FASHION DISTRICT IS A CULTURALLY, SOCIALLY AND ECONOMICALLY DIVERSE COMMUNITY WITH RICH HERITAGE IN THE FASHION INDUSTRY; A DISTRICT THAT IS EVOLVING INTO A FUTURE THAT WILL INCLUDE RESIDENTIAL AND CREATIVE OPPORTUNITES WHILE MAINTAINING ITS ROOTS OF FASHION.

7.2	Exhibit 2 – Rena Leddy's appointment calendar March through May 2017

February 27, 2017 -March 5, 2017

February 2017 SuMo TuWe Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28

March 2017 SuMo TuWe Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31



March 6, 2017 - March 12, 2017

March 2017

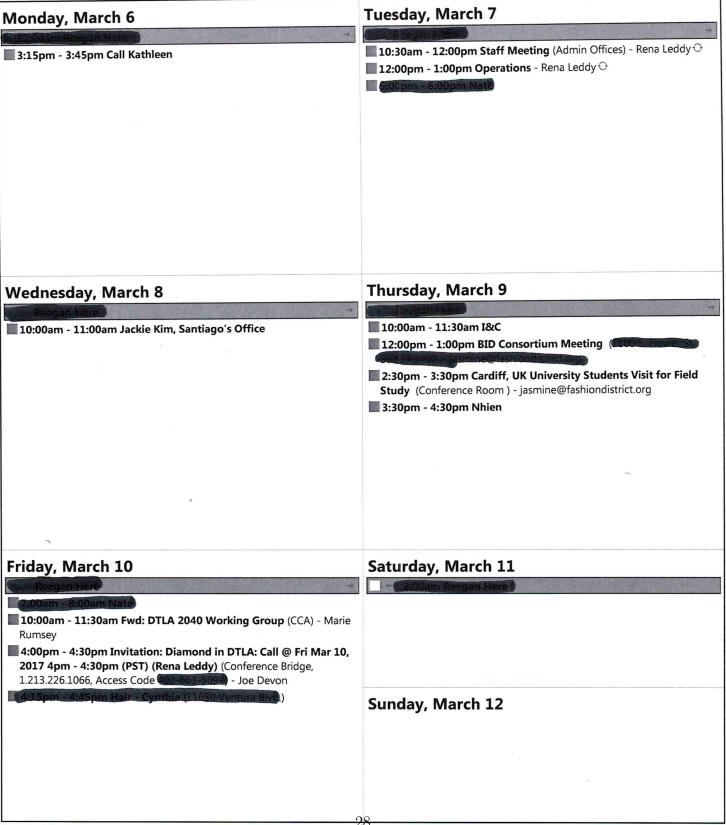
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April 2017

SuMo TuWe Th Fr Sa

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23 24 25 26 27 28 29
30



March 13, 2017 - March 19, 2017

March 2017

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April 2017

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Monday, March 13

- 11:00am 12:00pm Santee Alley
- 2:00pm 3:15pm Updated Invitation: Hold for Rena @ Mon Mar 13, 2017 2pm - 3:15pm (PDT) (rena@fashiondistrict.org) -



Tuesday, March 14

12:00am CDA

- 10:30am 12:00pm Staff Meeting (Admin Offices) Rena Leddy ↔
- **6:30pm 9:30pm DLANC** (630 S. Broadway) ○

Wednesday, March 15

CDA

■ 10:30am - 12:00pm IDA: In-person Board Meeting (228 East Broadway, Downtown Long Beach) - Rebecca Bishophall

Thursday, March 16

12:00am CDA

Friday, March 17

12:00pm - 1:00pm Hal Bastian (La Athletic club 7 th lobby)

Saturday, March 18

Sunday, March 19

29

Rena Leddy

March 20, 2017 - March 26, 2017

March 2017

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April 2017

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Tuesday, March 21 Monday, March 20 **■ 10:30am - 12:00pm Staff Meeting** (Admin Offices) - Rena Leddy ↔ 11:00am - 11:30am Mark Levy (Cognoscenti) 9:00am - 11:15am Updated Invitation: Hold for Rena @ Mon Mar 20, 2017 9am - 11:15am (PDT) (rena@fashiondistrict.org) -11:00am - 12:00pm Skid Row Neighborhood Council update call with Rocky Delgadillo (Conference Call) - Estela Lopez Thursday, March 23 Wednesday, March 22 12:00pm - 1:00pm Steve Hirsh, LAPD Newton & Ari and BID (Bendix Front Door) - Rena Leddy 3:00pm - 4:00pm Reef with Ava Saturday, March 25 Friday, March 24 10:00am - 11:30am DTLA 2040 Working Group-Central City East & Fashion District Neighborhoods (CCA) - Marie Rumsey 10:00am - 11:30am Updated Invitation: Hold for Rena - Kathleen ddress Staff @ Fri Mar 24, 2017 10am - 11:30am (PDT) (rena@fashiondistrict.org) - @ 11:00am - 12:00pm IDA Prof Dev Committee meeting (1-888-875-1833 passcode \$46698099) - Carolyn Dellutri € Sunday, March 26

March 27, 2017 -April 2, 2017

Rena Leddy

March 2017

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April 2017

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5/30/2017 3:22 PM

Tuesday, March 28 Monday, March 27 9:00am - 10:00am Danielle (1155 Hope Street, 11th & Hope Impressario) **■ 10:30am - 12:00pm Staff Meeting** (Admin Offices) - Rena Leddy ↔ Thursday, March 30 Wednesday, March 29 10:30am - 11:30am UPC call 11:00am - 12:00pm Safety Luncheon 11:00am - 2:00pm Pop-up Poll 11:00am - 11:30am Groad Tick 2:00pm - 3:00pm Holy Grail- ribbon cutting Saturday, April 1 Friday, March 31 9:00am - 2:00pm Board Retreat Sunday, April 2

April 3, 2017 -April 9, 2017

April 2017

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May 2017

SuMo TuWe Th Fr Sa

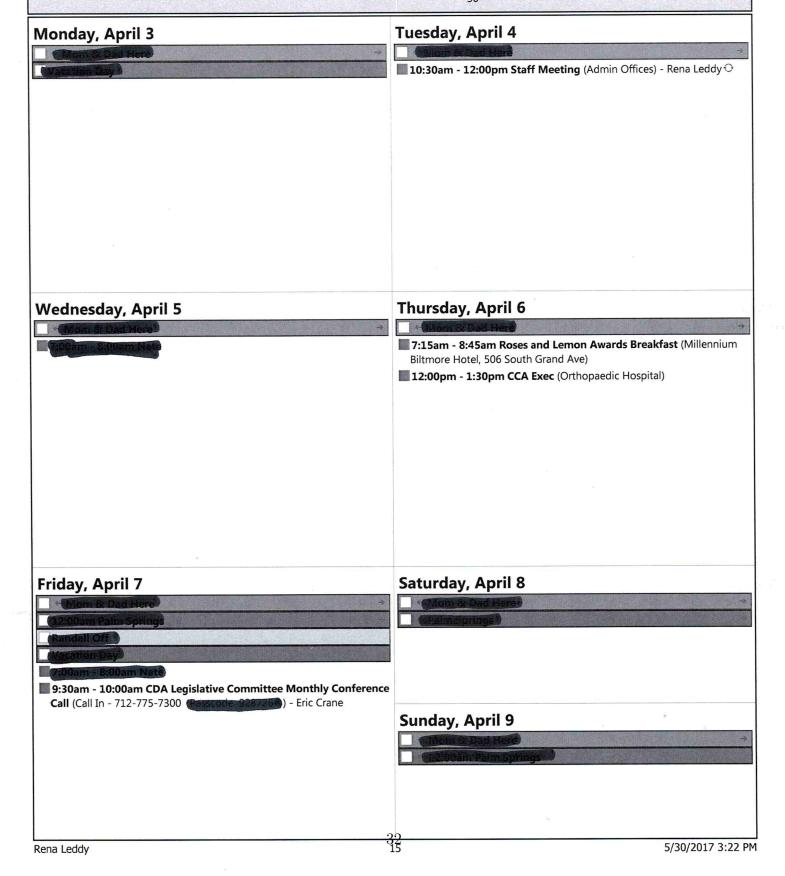
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April 10, 2017 -April 16, 2017

April 2017

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May 2017

SuMo TuWe Th Fr Sa

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28 29 30 31

Monday, April 10



Tuesday, April 11

leaves (Tuck) Rena Leddy 1

2:30pm - 3:30pm Invitation: San Pedro St. Safety Project Briefing

■ 10:30am - 12:00pm Staff Meeting (Admin Offices) - Rena Leddy •

@ Tue Apr 11, 2017 2:30pm - 3:30pm (PDT)
(rena@fashiondistrict.org) (Downtown Industrial District BID, 725
Crocker St.) - tim.fremaux@lacity.org

Wednesday, April 12

- 12:00pm 1:30pm Updated Invitation: Fashion District BID meeting @ Wed Apr 12, 2017 12pm 1:30pm (PDT) (rena@fashiondistrict.org) (New Moon Restaurant, 102 W 9th St, Los Angeles, CA 90015, USA) kurt.knecht@lacity.org
- 2:00pm 3:00pm Ariana, Jasmine, Rena Rena Leddy
- **6:30pm 9:30pm DLANC** (630 S. Broadway) ↔

Thursday, April 13

- 8:30am 10:00am CCA Transportation
- 11:45am 1:00pm Invitation: LA BID Consortium Meeting @ Thu Apr 13, 2017 11:45am 1pm (PDT) (rena@fashiondistrict.org) (6562 Hollywood Blvd, Los Angeles, CA 90028, USA) labidconsortium@gmail.com

Friday, April 14



Saturday, April 15

Sunday, April 16

11.30am - 1:30pm Easter Brunch Tony P's Dockside Grill (4445) (Admiralty Way, Marina Del Rey, CA 90292) - Rena Leady

April 17, 2017 -April 23, 2017

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Monday, April 17

Tuesday, April 18

- 10:30am 12:00pm Staff Meeting (Admin Offices) Rena Leddy 🔾
- **12:00pm 1:30pm Idea Session with BIDs** (CCA 626 Wilshire Boulevard) Jessica Lall
- **12:00pm 1:30pm Idea Session with BIDs** (CCA 626 Wilshire Boulevard) Jessica Lall

Wednesday, April 19

Thursday, April 20

- 10:00am 11:30am Finance
- ■11:45am 2:15pm Board Meeting 🔾
- 3:30pm 4:30pm Updated Invitation: Shayla and Rena Meeting @ Thu Apr 20, 2017 3:30pm 4:30pm (PDT)
 (rena@fashiondistrict.org) (Verve Coffee DTLA, 833 S Spring St, Los Angeles, CA 90014, USA) shayla@startupdtla.com

Friday, April 21

1:30pm - 2:30pm Fashion District Renewal Call (Phone Call) - Rena Leddy

Saturday, April 22

Sunday, April 23

April 24, 2017 -April 30, 2017

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Monday, April 24

Tuesday, April 25

- 10:30am 12:00pm Staff Meeting (Admin Offices) Rena Leddy ○
- 11:30am 1:30pm Psomas Community Plan (555 S. Flower Street, 43rd floor)
- 2:00pm 4:00pm GoToWebinar Community Web Meeting -Measure H Funding Requests (GoToWebinar - See conference call information below) - webmeeting@ceo.lacounty.gov

Wednesday, April 26

8:30am - 10:00am CCA Homeless Policy Co (626 Wilshire)

- 12:00pm 1:30pm Lunch w/ Rena Leddy & Carol Schatz (Terroni 802 S. Spring Street) Carol Schatz
- 5:00pm 6:00pm Nate

Thursday, April 27

- **10:00am 11:30am Fashion District Renewal Committee** (110 E. 9th Street, A1175) Rena Leddy •
- 1:00pm 1:30pm I&C

Friday, April 28

10:00am - 11:30am DTLA 2040 Working Group (CCA, 626 Wilshire Blvd., #200) - Marie Rumsey

Saturday, April 29

11:00am - 12:00pm Nate

Sunday, April 30

May 1, 2017 -May 7, 2017

May 2017

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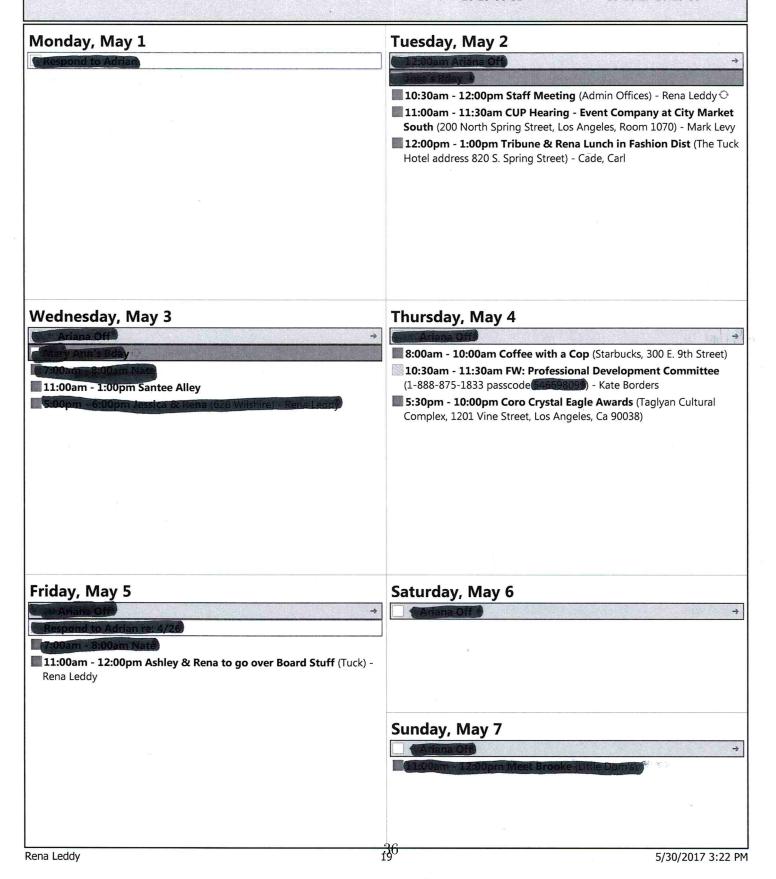
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May 8, 2017 -May 14, 2017

May 2017

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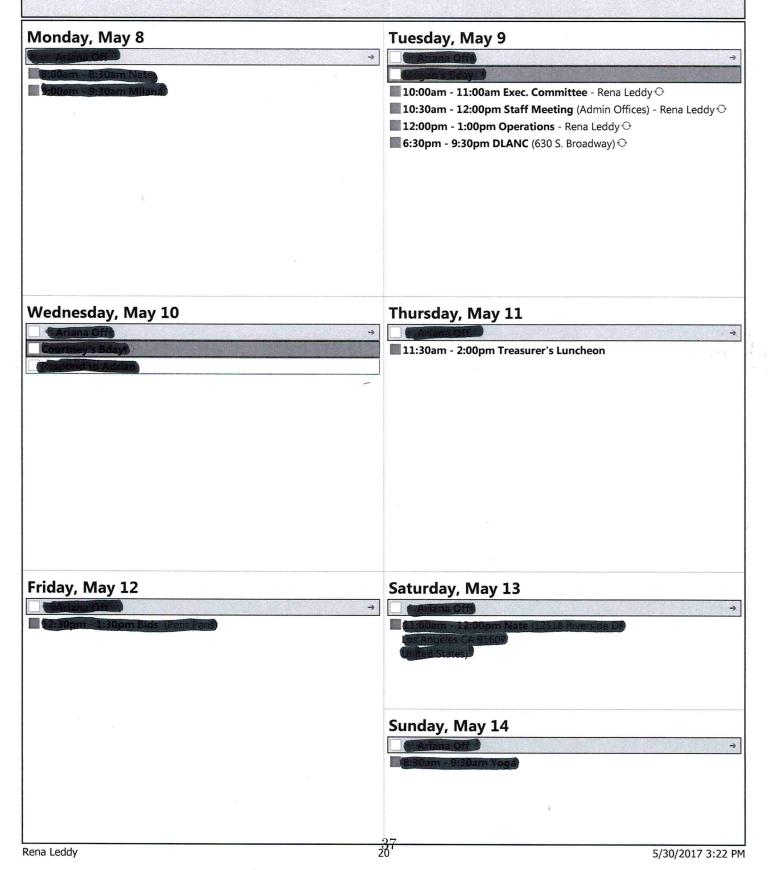
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May 15, 2017 -May 21, 2017

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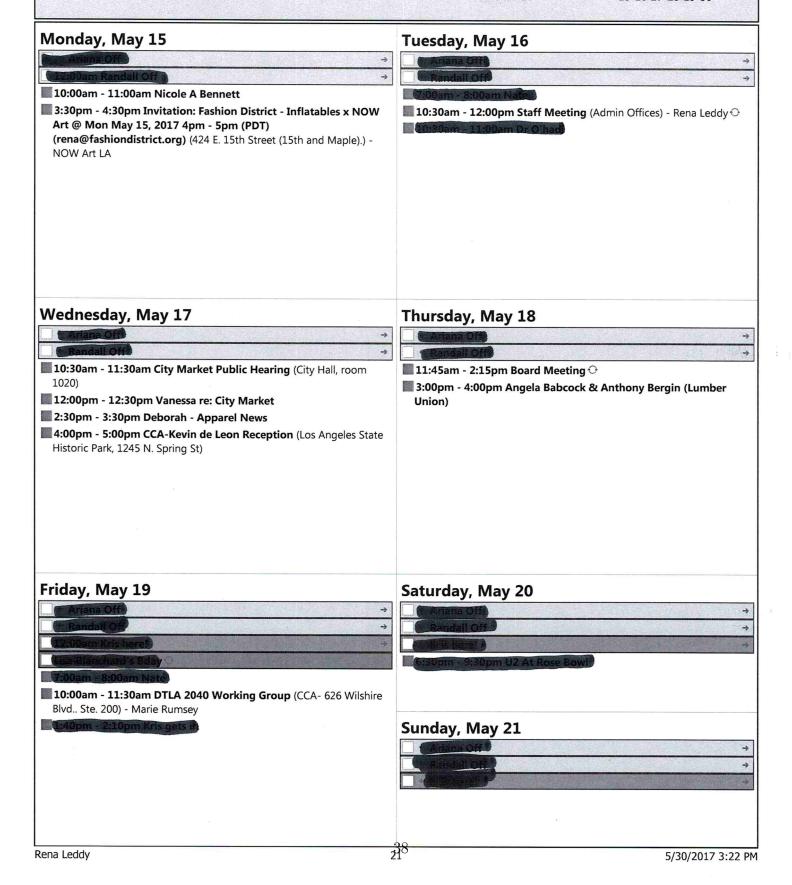
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May 22, 2017 -May 28, 2017

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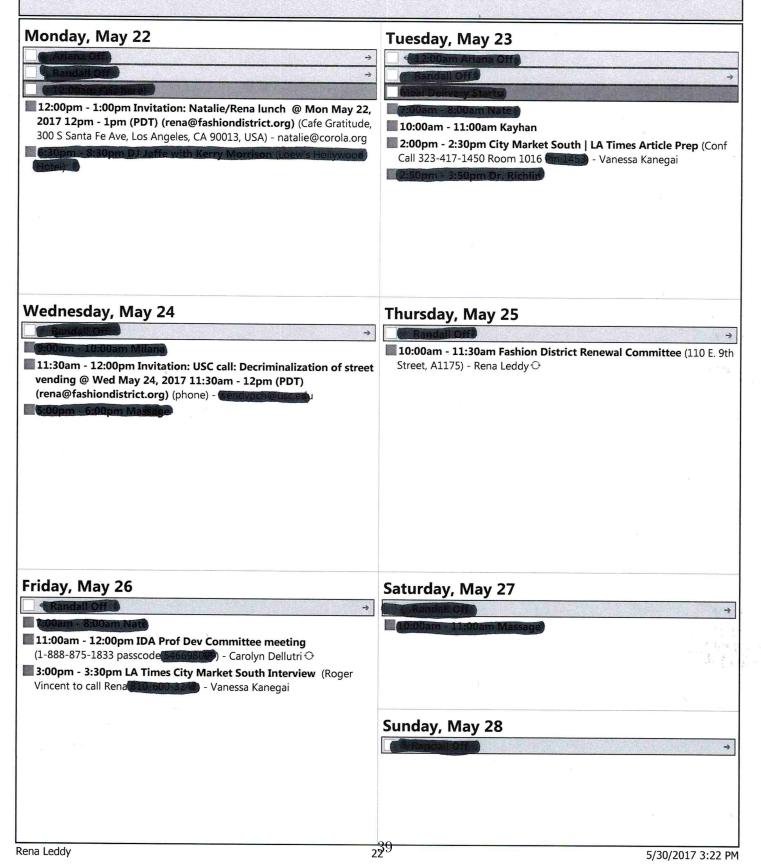
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May 29, 2017 -June 4, 2017

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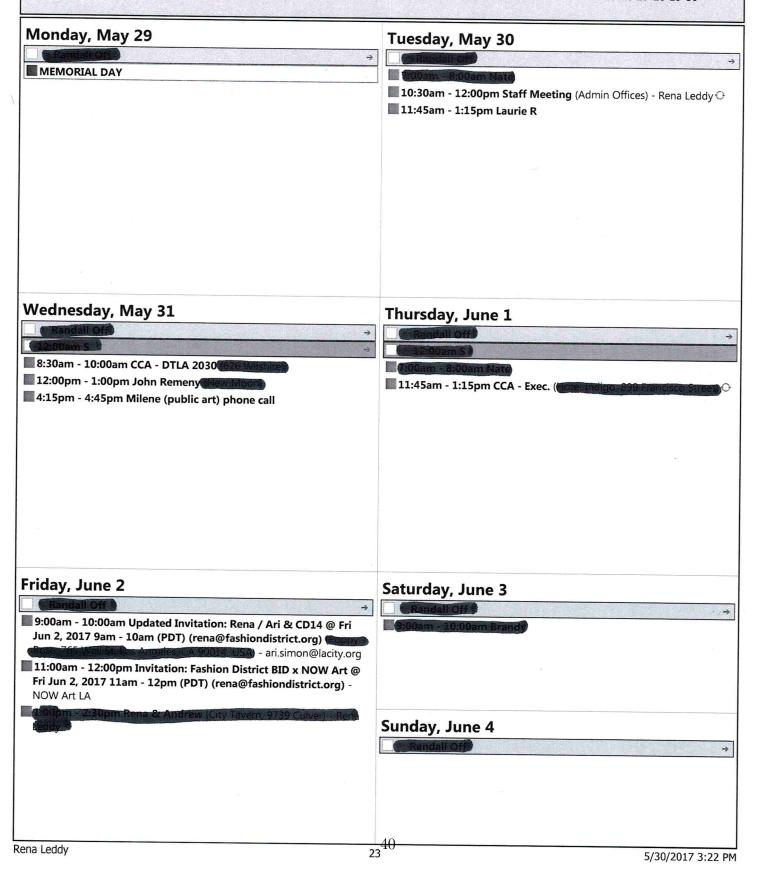
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7.3 Exhibit 3 - March 20, 2017 Rena Leddy to Scott Yamabe email

From: Rena Leddy
To: Scott Yamabe

Subject: Skid Row Neighborhood Council

Date: Monday, March 20, 2017 11:44:00 AM

Attachments: FINAL DRAFT- SRNC-Bylaws-2016-3C.pdf

Skid Row NC Application.pdf

Skid Row Petition Ltr Final 1-11-2017.pdf Skid Row NC Boundaries with Business Info.pdf

SRNC-Resident Board Seats-1A.pdf

Skid Row Neighborhood Council Community Meeting Agenda - February 15.pdf Skid Row Neighborhood Council Community Meeting Agenda - March 9.pdf

Importance: High

Give me a call when you get a minute!

While the homeless issues are vital to the economy of DTLA and the entire City of Los Angeles, the pending proposal to divide Downtown Los Angeles into separate districts will have significant fiscal and economic impacts. Common sense implies that dividing DTLA into sub-neighborhoods as proposed by the Skid Row Neighborhood Council (SRNC) Formation Committee, with the pending vote on April 6th, will have serious financial impacts to the City because of potential impacts to property values. Ignoring the economic, social and political ramifications, the creation of SRNC as a separate geographic district would be short sighted.

Resolving the residential, health and welfare issue of the homeless throughout Los Angeles cannot be taken lightly. The voice of the homeless should never be ignored. With all of the bond revenue being generated to create new housing opportunities in the pipeline, community input is a vital part of the development process.

Dividing DTLA into separate neighborhoods would undo all of the progress made over the past decade. The implications may not sound politically correct; however, the economic realities are obvious.

Please **oppose** the formation of the SRNC on April 6th

James Wood Community Center 400 East 5th Street April 6, 2017 3pm to 7pm

There is no other polling place and there are no absentee ballots. If each individual doesn't actually take time to vote, then they will actually have no say in whether or not DTLA will be divided into two separate geographic districts. If approved, people will live and work in either DTLA or Skid Row.

Schedule your calendar now. Please share with your residents and tenants.

7.4 Exhibit 4 – March 20, 2017 Rena Leddy to FDBID stakeholders email

From:

Ronny Bensimon.; Bradley A. Luster.; Jim Mellano.; Mark Chatoff (mark@californiaflowermall.com); John Van To:

Den Akker; Scott Yamabe; "Darrin Olson"; "Dean Nucich"; Adrian Szabo; Joshua Foley (JFoley@essex.com)

Subject: Your property & Skid Row Neighborhood Council

Monday, March 20, 2017 12:24:00 PM Date:

Letter to DONE31717.pdf Attachments:

Dear Fashion District Stakeholder,

A group of stakeholders in Skid Row is trying to create a Neighborhood Council which would splinter from the Downtown Neighborhood Council (DLANC). There will be an election April 6th. The boundaries are 3rd to 7th and Main to Alameda. (It is unclear if it is both sides of Main and 7th.)

Attached is a letter sent by attorney Rocky Delgadillo on behalf of property owners in the proposed new neighborhood council who are petitioning that the City postpone the election, now scheduled for April 6. These owners have formed an entity that engaged Rocky for this effort. The group is called United Downtown LA LLC. This proposal to create a new, separate neighborhood council between Main/Alameda/3rd/7th was approved by the City and will have an election on April 6 unless the group is successful in obtaining a postponement. Rocky has documented the many deficiencies in the application. There was absolutely no outreach to the businesses and property owners who would be affected.

The Department of Neighborhood Empowerment is the City department that oversees neighborhood councils. Rocky will attend a meeting today at 1 p.m. and will testify. I will be there also.

Additionally, there will be another meeting on Wednesday that I will forward you that information. I encourage you to call Councilmember Huizar.

Please call me if you need additional information. I can be reached on my cell phone if I'm not in the office.

Rena Masten Leddy, Executive Director LA Fashion District 110 E 9th Street Suite A 1175 Los Angeles, CA 90079

tel: 213-488-1153 x 712

fax: 213-488-5159 cell: 310-600-3247 www.fashiondistrict.org

7.5 Exhibit 5 – March 20, 2017 Minutes of BONC meeting

CITY OF LOS ANGELES **CALIFORNIA**

BOARD OF NEIGHBORHOOD COMMISSIONERS

LEONARD SHAFFER

JOY ATKINSON

MAGGIE DARETT-QUIROZ JOSH LAFARGA DEBBIE WEHBE EVE SINCLAIR ELI LIPMEN

TELEPHONE: (213) 978-1551



ERIC GARCETTI MAYOR



20[™] FLOOR, CITY HALL 200 NORTH SPRING STREET LOS ANGELES, CA 90012

TELEPHONE: (213) 978-1551 TOLL-FREE: 3-1-1 FAX: (213) 978-1751 E-MAIL: EmpowerLA@lacity.org

> **GRAYCE LIU** GENERAL MANAGER

www.EmpowerLA.org

BOARD OF NEIGHBORHOOD COMMISSIONERS

REGULAR MEETNG MINUTES - APPROVED

Monday, March 20, 2017 1:00 PM

LOCATION: CITY HALL, 10th FI Conference Room

200 N Spring St. Los Angeles, CA 90012

The public is requested to fill out a "Speaker Card" to address the Board on any agenda item before the Board takes an action on an item. The amount of time for each agenda item is to be determined by the Chair at each meeting. Speakers shall limit their comments to matters relevant to the item on the agenda. The Chair may rule that the speaker is out of order if the comments are not germane to the item under consideration. If multiple speaker cards are submitted on one agenda item, preference will be granted to members of the public who have not spoken previously during the meeting, either during general public comment or on another agenda item.

A member of the public wishing to speak on more than one agenda item at a single meeting shall limit his or her remarks to a total of five (5) minutes per meeting. Comments by members of the public who have submitted multiple speaker cards and want to speak on all items for up to five minutes at one time can choose to speak during the Multiple Agenda Items Comment period. Members of the public who choose to speak during the Multiple Agenda Items period will be given the opportunity to also speak during General Public Comments.

Comments from the public on other matters not appearing on the agenda that are within the Board's jurisdiction will be heard during the Public Forum period. Public comment is limited to 15 minutes maximum. No individual speaker will be allowed more than 3 minutes, unless presiding officer of the Board decides differently.

The agenda is posted for public review in Main Street Lobby of City Hall East at 200 North Main Street and at 20th Floor, City Hall, 200 North Spring Street, Los Angeles. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and upon request will provide reasonable accommodation to ensure equal access to its programs, services, and activities. The Agenda and Report(s) related to an agenda item will be available for review at www.Empowerla.org. Sign language interpreters, assisted listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability of services, please make your request at least 3 business days (72 hours) prior to the meeting by contacting the Department at (213) 978-1551.

SI REQUIERE SERVICIOS DE TRADUCCION, FAVOR DE NOTIFICAR A LA OFICINA 3 días de trabajo (72 horas) ANTES DEL EVENTO. SI NECESITA ASISTENCIA CON ESTA NOTIFICACION, POR FAVOR LLAME A NUESTRA OFICINA AL (213) 978-1551.

- 1. [1:20]Introduction (5 minutes)
- 2. [1:24]Call to Order and Commission roll call (1 minute)

Commissioner	Present	Absent
Shaffer	X	
Atkinson	Х	
Darett-Quiroz	Х	
Lafarga	Х	
Lipmen	Х	
Sinclair		Х
Wehbe	Х	

Note: Commissioner Lipmen arrived at 1:49 pm.

3. [1:26]Discussion with Neighborhood Council representatives on any Neighborhood Council Resolution or Community Impact Statement filed with the City Clerk which relates to any agenda item listed or being considered on this agenda for the Board of Neighborhood Commissioners.

Public Comment: None

4. [1:27]Multiple Agenda Items Comment – Comments by members of the public who have submitted multiple speaker cards and want to speak on all items for up to five minutes at one time can choose to speak during the Multiple Agenda Items Comment period. Members of the public who choose to speak during the Multiple Agenda Items period will be given the opportunity to also speak during General Public Comments.

Public Comment: None

5. [1:27]Approval of the Minutes of the Meeting of 03/16/17.

BOARD OF NEIGHBORHOOD COMMISSIONERS REGULAR MEETING MINUTES - APPROVED MARCH 20, 2017 Page 3 of 8

http://empowerla.org/wp-content/uploads/2017/03/Board-of-Neighborhood-Commissioners-Special-Meeting-Minutes-03.16.17.DRAFT_.pdf (3 minutes)

Public Comment: None

Action: Motion to approve Minutes of the Meeting of 03/16/17.

VOTE	Mover	Atkinson	Second	Lafarga
Commissioner	Ayes	Nays	Abstention	Absent
Shaffer	X			
Atkinson	Х			
Lafarga	Х			
Wehbe	x			
Darett-Quiroz				
Total	4			
Motion	Carries	X	Fails	

6. [1:28] Verbal updates from representatives of the Mayor, Los Angeles City Council, and other City representatives. (10 minutes).

Public Comment: Wayne provided commentary.

7. [1:30] Verbal updates from representatives of the Los Angeles Neighborhood Council Budget Advocates. Neighborhood Council Budget Advocates provide input to the City on the City's Budget. Additional information regarding the Budget Advocates is available at http://ncbala.com/. (10 minutes).

Public Comment: Wayne provided commentary

8. [1:31] General Public Comments - Comments from the public on non-agenda items within the Board's subject matter jurisdiction. This agenda item will last a total of 15 minutes and no individual speaker will be allowed more than three minutes. (15 minutes)

Public Comment: Wayne provided commentary.

- **9.** [1:34]General Manager's Report. (10 minutes)
 - a. Briefing on Departmental activities.
 - b. Staffing, budget, elections and other operational matters.
 - c. Subdivision policy.
 - d. EmpowerLA Awards update
 - e. Enforcement of Minutes Posting Policy Requirement

BOARD OF NEIGHBORHOOD COMMISSIONERS REGULAR MEETING MINUTES - APPROVED MARCH 20, 2017 Page 4 of 8

Public Comment: Update provided by Grayce Liu. Mike Fong provided update on Subdivision process and Homelessness Civic U. Judy Price no comment. Wayne provided commentary. Lisa Sarkin, no comment. Joe Riser provided commentary. Commissioner Atkinson inquired on "quiet time" as discussed by Joe Riser. Grayce Liu provided clarification.

10. [1:48]Discussion and possible action to draft a Letter of Recommendation on behalf of Downtown Los Angeles Neighborhood Council related to their Vision Plan award nomination. (10 minutes)

Public Comment: Presentation by DLANC President, Patti Berman. Commissioner Shaffer asked for clarification of request.

Action: Motion to approve letter draft provided by DLANC Commission.

VOTE	Mover	Darett-Quiroz	Second	Lafarga
Commissioner	Ayes	Nays	Abstention	Absent
Shaffer	X			
Atkinson	Х			
Darett-Quiroz	Х			
Lafarga	Х			
Wehbe	X			
Total	5			
Motion	Carries	X	Fails	

11. [1:55]Discussion and update on Neighborhood Council Subdivision elections. (10 minutes)

Public Comment: Wayne not present, no comment. Paola Flores provide commentary. Scott Gray provided commentary. John H provided commentary. Debbi Welsh provided commentary. Rocky Delgadillo provided commentary. Robert Newman provided commentary. Commissioner Atkinson asked for location of polling place. Grayce Liu and Mike Fong provided clarification. Michael Maier provided commentary. Joseph Riser provided commentary. Kathleen Damani provided commentary. Rena Leddy provided commentary. Alan Kumamoto provided commentary. Karen Christopherson provided commentary. Miguel Nelson provided commentary. General Jeff provided commentary. Elizabeth Peter Gowen provided commentary. Commissioner LaFarga asked for clarification of timing. Grayce Liu provided clarificiation. Commissioner Darett-Quiroz asked for clarification on polling place. Deputy CA Elise Rudin provided advice to Commissioner

BOARD OF NEIGHBORHOOD COMMISSIONERS REGULAR MEETING MINUTES - APPROVED MARCH 20, 2017 Page **5** of **8**

Wehbe's commentary. Grayce Liu & Mike Fong provided update on next SRNC townhall meeting. Commissioner Darett-Quiroz asked for viewing of letter submitted by Rocky Delgadillo.

12. [2:41] Discussion and possible action to create Ad Hoc Committee to review Council File 15-1022-S2 including General Manager's report on elections and provide recommendations.

Public Comment: Lisa Sarkin provided commentary. Judy Price provided commentary.

Commissioner Shaffer appointed Commissioner Lipmen as Ad Hoc chair and Commissioners Wehbe and Darett-Quiroz appointed as members. Ad Hoc term date is 6 months from today which is 09/19/17.

Action: None. Creation of Ad Hoc by appointment of Commissioner Shaffer.

13. [2:49]Discussion and possible action to approve Silverlake Neighborhood Council Bylaw amendment to modify Youth Board eligibility age from 14 years of age to 18 years of age and minimum voting age. https://empowerla.org/wp-content/uploads/2017/03/SLNC-Bylaw-Amendment-Request-Documents.pdf

Public Comment: Update provided by Department staff, Lorenzo Briseno. Commissioner LaFarga asked for clarification as of Department's recommendation. Grayce Liu provided further clarification of Department's recommendation. Commissioner Atkinson provided commentary. Anne Marie Johnson provided commentary. Betsy Israelite provided commentary. Jerome Courshon provided commentary. Commissioner Darett-Quiroz provided commentary. Commissioner Wehbe provided commentary. Commissioner Lipmen provided commentary. Commission Lafarga provided commentary and requested clarification of Youth participation. Anne Marie Johnson provided clarification of 14 year old participation in 2016 election. Commissioner Lipmen provided rebuttal to Ms Johnson's clarification. Commissioner Atkinson provided commentary. Commissioner Shaffer provided commentary and rebuttal to Commissioner Lipmen's commentary. Commissioner Lafarga inquired on accuracy of SLNC's bylaws amendment Grayce Liu provided response. request. Commissioner Darett-Quiroz provided commentary.

Action: Motion to approve Silverlake Neighborhood Council Bylaw amendment to modify Youth Board eligibility age from 14 years of age to 18 years of age.

VOTE	Mover	Darett-Quiroz	Second	Wehbe
Commissioner	Ayes	50 Nays	Abstention	Absent
Shaffer	Х			

Atkinson	X			
Lafarga	Х			
Lipmen		X		
Wehbe	Х			
Darett-Quiroz		X		
Total	4	2		
Motion	Carries	X	Fails	

14. [3:36] Discussion and possible action regarding the creation of an Ad Hoc Committee for the Empower LA Awards.

Public Comment: None. Commissioner explained requirements. Commissioner Darett-Quiroz appointed chair. Commissioners Wehbe and Lafarga appointed members.

Action: None. Creation of Ad Hoc made by Commission Chair appointment.

15. [3:40]Discussion and possible action regarding Board of Neighborhood Commissioner's Newsletter. (10 minutes)

Public Comment: Update and commentary provided by Commissioner Lipmen.

- **16.** [3:40] Commission Business Comment from Commissioners on subject matters within the Board's jurisdiction. (15 minutes)
 - 1. Comment on Commissioners' own activities/brief announcements.
 - 2. Brief response to statements made or questions posed by persons exercising their general public comment rights/ask staff questions for clarification.
 - 3. Introduce new issues for consideration by the Commission at its next meeting and direct staff to place on the agenda.
 - 4. Ask staff to research issues and report back to the Commission at a future time.

Commissioner Lipmen provided commentary. Commissioner Shaffer provided update on Emer committee.

17. [3:40] Adjourn

VOTE	Mover	Darett-Quiroz	Second	Lafarga
Commissioner	Ayes	Nays	Abstention	Absent
Shaffer	Х			
Atkinson	Х			
Darett-Quiroz	Х	51		
Lafarga	Х			

BOARD OF NEIGHBORHOOD COMMISSIONERS REGULAR MEETING MINUTES - APPROVED MARCH 20, 2017 Page **7** of **8**

Lipmen	X		
Wehbe	X		
Total	6		
Motion	Carries	Fails	

Future Board of Neighborhood Commissioners Meetings (INFORMATION ONLY) (*Please note: The items listed below are tentative and may be subject to change.* You are encouraged to visit the City's website at www.lacity.org to view Commission agendas and subscribe through the City's Early Notification System Subscription page to receive the Commission's agendas via email.)

- Regular Meeting on April 4, 2017 at 6:00pm Location TBD: West Area
- Regular Meeting on April 17, 2017 at 1:00pm., at City Hall, 10th Floor Conference Center, Room 1050, 200 North Spring Street, Los Angeles, CA 90012
- Regular Meeting on May 2, 2017 at 6:00pm Location TBD: South Valley
- Regular Meeting on May 15, 2017 at 1:00pm., at City Hall, 10th Floor Conference Center, Room 1050, 200 North Spring Street, Los Angeles, CA 90012

FINALIZATION OF BOARD ACTION:

Per City Charter Section 245, the Board's determination shall become final at the expiration of the next five meeting days of the Council during which the City Council has convened in regular session, unless the City Council acts within that timeframe by a two-thirds vote to bring the action before them or to waive review of the action.

EXHAUSTION OF ADMINISTRATIVE REMEDIES:

If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing or in written correspondence on these matters delivered to this agency at or prior to the public hearing. California Code of Civil Procedure Section 1094.6 governs the time in which a party may seek judicial review of this determination. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5 only if the petition for Writ of Mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision became final.

RECONSIDERATION:

The Commission may make a MOTION TO RECONSIDER and alter its action taken on any item listed on this agenda at any time during this meeting, or make a MOTION TO RECONSIDER at its next regular meeting as indicated below:

BOARD OF NEIGHBORHOOD COMMISSIONERS REGULAR MEETING MINUTES - APPROVED MARCH 20, 2017 Page 8 of 8

If the Commission moves and approves a Motion for Reconsideration at the *initial* meeting wherein an action was taken, then the underlying item may be reconsidered at that time.

If the Commission moves and approves a Motion for Reconsideration at *the next regular meeting* then consideration of the item may *only* occur at this regularly scheduled meeting if the item for consideration has been placed on that meeting's agenda. If the underlying item for reconsideration has not been placed on the agenda for that next regular meeting, then it shall be considered at a subsequent meeting pursuant to the Ralph M. Brown Act.

PUBLIC ACCESS OF RECORDS:

"In compliance with Government Code Section 54957.5, non-exempt writings that are distributed to a majority or all of the Board of Neighborhood Commissioners in advance of their meetings, may be viewed at the office of the Department of Neighborhood Empowerment, located at City Hall, 20TH Floor, 200 North Spring Street, Los Angeles, California 90012, by clicking on the Department's Web site at http://www.EmpowerLA.org or at the Commission meeting. In addition, if you would like a copy of any record related to an item on the agenda, contact the Department at (213) 978-1551 or via e-mail: Commission@EmpowerLA.org.

7.6 Exhibit 6 – March 20, 2017 Rena Leddy to Debbie Welsch email

From: Rena Leddy
To: "Debbie Welsch"

Subject: RE: Disqualify the Apr 6th SRNC Vote Date: Monday, March 20, 2017 4:41:00 PM

Thanks! I will include it in my update to owners that I contacted and I'll cc you.

From: Debbie Welsch [mailto:debbie@capitalforesight.com]

Sent: Monday, March 20, 2017 4:41 PM **To:** Rena Leddy < rena@fashiondistrict.org> **Subject:** FW: Disqualify the Apr 6th SRNC Vote

From: Scott Gray [mailto:scott@capitalforesight.com]

Sent: Monday, March 20, 2017 4:33 PM

To: Debbie Welsch; <u>blindborg@borgdevelopment.com</u>; <u>isidraclark@cannonmanagement.com</u>; Rachel

Guyson; hhernandez@cannonmanagement.com; Jason Mathe; aj@capitalforesight.com

Subject: FW: Disqualify the Apr 6th SRNC Vote

Below is a sample email that each of you should send to Councilman Huizar and Councilman Wesson, and as many others as you can. If possible, ad someone from each of their staffs.

A bulk email with all our names is less effective than individual emails.

Scott W Gray

Director of Operations Capital Foresight O: 310-234-9598

C: 909-586-0000

From: Scott Gray [mailto:scott@capitalforesight.com]

Sent: Monday, March 20, 2017 4:30 PM **To:** councilmember.huizar@lacity.org

Cc: Naty (naty@capitalforesight.com); rdelgadillo@linerlaw.com

Subject: Disqualify the Apr 6th SRNC Vote

Dear Councilman Huizar,

At this time I call upon you to immediately take action at City Council to disqualify the vote scheduled for April 6, 2017 for the proposed formation of a separate and new Skid Row Neighborhood Council.

It is imperative that this action to disqualify and stop the vote take place immediately.

In the attached summary of issues prepared by Mr. Delgadillo, it is very clear that the "DONE" application was both incomplete and improperly noticed. Here are the key issues of greatest

concern justify the cancellation of this vote:

- 1) The subdivision petition did not properly specify the proposed boundaries.
- 2) The Subdivision Petition did not comply with the minimum population standards required to form a neighborhood council.
- 3) The proposed formation confuses all downtown stakeholders because it improperly applies overlapping areas in order to boost the population count.
- 4) The subdivision petition did not contain a valid set of bylaws.
- 5) "DONE" improperly deemed the application complete, when in fact it was deficient.

Councilman Huizar, Capital Foresight holds multiple properties in multiple Business Improvement Districts ranging from Little Tokyo, to the Arts District, to the Historic Core, to the Fashion District and in the Warehouse/Industrial District. Further, our representatives are Executive Members of the CCA and hold Board positions on other BID Boards. Up until a couple of weeks ago, we had absolutely no knowledge of the proposed formation of SRNC or the approved application. The improper notification process kept us in virtual darkness in what can only be describe as a scheme to minimize awareness of the application and upcoming vote. We have not been given any notices and, therefore, had no reason to seek out information from the Formation Committee.

Please disqualify the "DONE" approval and STOP THE VOTE.

Thank you,

Scott W Gray

Director of Operations Capital Foresight O: 310-234-9598 C: 909-586-0000 7.7 Exhibit 7 – March 29, 2017 Rena Leddy setting meeting with Tim Fremaux

Rena Leddy

From: Rena Leddy

Sent: Monday, April 03, 2017 1:51 PM

To: Tim Fremaux

Cc:Estela Lopez; Nate HaywardSubject:Re: Bike Lanes on San Pedro

I can only make it on 4/11 at 2:30.

Rena Masten Leddy Executive Director LA Fashion District (213) 488-1153

On Apr 3, 2017, at 11:20 AM, Tim Fremaux < tim.fremaux@lacity.org > wrote:

4/10 at 4 PM works for me. Or 4/11 at 2:15 PM is actually ideal (I will be at LAPD Central Traffic from 1-2 so I'll be in the area).

On Mon, Apr 3, 2017 at 10:00 AM, Estela Lopez < <u>ELopez@centralcityeast.org</u>> wrote:

I can do 4/10 at 9:30am or 4pm; 4/11 anytime after lunch. I will be out the rest of the week.

Cordially,

Estela Lopez

Downtown Industrial District BID

725 Crocker St.

Los Angeles, CA 90021

213-228-8484

From: Tim Fremaux [mailto:tim.fremaux@lacity.org]

Sent: Monday, April 03, 2017 8:30 AM

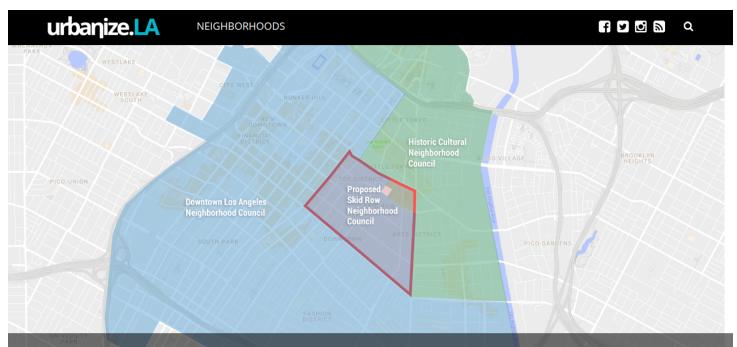
To: Rena Leddy

Cc: Estela Lopez; Nate Hayward **Subject:** Re: Bike Lanes on San Pedro

Hi there!

After the 6th would be fine. I'm on vacation starting the 14th. Can we meet sometime in between? $4/10 - 4/13$?
Tim
On Wed, Mar 29, 2017 at 9:55 PM, Rena Leddy < <u>rena@fashiondistrict.org</u> > wrote:
Yes. Just let me know what dates might work and I'll try to make my schedule work also.
Rena Masten Leddy
Executive Director
LA Fashion District
<u>(213) 488-1153</u>
On Mar 29, 2017, at 8:21 PM, Estela Lopez < <u>ELopez@centralcityeast.org</u> > wrote:
You bet! Hi Tim. Nice to e-meet you. After the 6th would be best for me but if there's an urgency to do it sooner I will make it work.
Sent from my iPhone
On Mar 29, 2017, at 6:19 PM, Nate Hayward < nate.hayward@lacity.org > wrote:
Hi Rena & Estela!
I wanted to introduce you to Tim Fremaux of DOT who does the bike lanes in the city. DOT has been working on a plan for bike lanes on San Pedro Street and he wanted to connect with you all and get your feedback. Would you all be able to meet with him?
Thanks!
Nate Hayward

7.8 Exhibit 8 – March 29, 2017 Urbanize LA Article about SRNC quoting Rena Leddy



Voting Begins for Skid Row Neighborhood Council Petition

Vote marks the first test of a new city rule permitting the subdivision of neighborhood councils.

ADVERTISEMEN











by CHRIS LOOS on March 29, 2017, 10:48PM

The first test of Los Angeles's new Neighborhood Council subdivision provision kicked off yesterday, when online voting opened for the Skid Row Neighborhood Council (SRNC).

If passed, SRNC would cover 49 blocks spanning the area between Main and Alameda Streets and Third and Seventh Streets, and would share or overlap boundaries with the Arts District, Little Tokyo and the Fashion District. SRNC would become Downtown L.A.'s third Neighborhood Council after the Downtown Los Angeles Neighborhood Council (DLANC) and the Historic Cultural Neighborhood Council (HCNC). DLANC would cede 45 blocks to SRNC, while HCNC would cede 4 blocks.

SRNC would also overlap with other entities such as the Fashion District, Historic Core and Industrial District BIDs. Its border closely mirrors the Industrial District BID, with approximately 85% of the IDBID's area falling under SRNC's purview.



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1020 Figueroa Approved by Planning Commission



Renderings Revealed for the Arts District's 405 Mateo



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Proposed Fashion District Tower Tweaks Design, Gains Key Approval

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Photo Credit- Kris Ferris

A Community Seeking Self Determination

Efforts to create an independent Skid Row NC began in part out of frustrations amongst Skid Row residents that the community's needs were not being met by DLANC.

Nowhere is this desire for a new direction made clearer than in the Governing Board requirements listed in the SCNC bylaws:

- 5 Resident Board Members, 3 of whom must be low-income or homeless
- 1 Community Advocate/Social Justice Board Member
- 1 Social Service Provider/Faith-Based Board Member
- 1 At-Large Board Member
- 1 Arts & Culture Board Member
- 1 Business Board Member

The bylaws also note a lifetime Founder Emeritus position for "General" Jeff Page, the Skid Row activist spearheading the petition.

This marks a sharp contrast with DLANC's Board composition with DLANC's Board of directors:

- 9 Resident Directors, split across DLANC's 6 sub-regions
- 1 Area Wide Homeless Resident Director
- 8 Business Stakeholder Directors, split across DLANC's 6 sub-regions
- 2 Social Service Provider Directors
- 2 Area-Wide Directors
- 1 At-Large Stakeholder

While it's clear that the SCNC Board would be in tune with the needs of Skid Row's disadvantaged community, it is less clear how well it would represent the needs of Skid Row's substantial business community. According to a 2015 Central City East Association (CCEA) study, the area is home to 600 businesses and 5,600 jobs.

Likewise, with a western border that reaches the heart of Downtown's Historic Core, it is challenging to see how the needs of residents in market rate buildings such as Mercantile Lofts, Pacific Electric Lofts, Santa Fe Lofts, San Fernando Lofts or the Medallion would be served by a neighborhood council so exclusively geared towards serving homeless and low-income residents.

A Failure of Outreach

The SRNC formation committee has drawn criticism from stakeholders for a lack of outreach about their effort to the community.

"The property owners in our district that would be directly affected by a Skid Row Neighborhood Council were not informed until about 10 days ago." commented Rena Masten Leddy, Executive Director of the Fashion District BID. "And I can't even speak on behalf of our BID on this issue because we weren't given enough time to have a board meeting to discuss the issue before the vote."

"PEOPLE ARE ONLY NOW STARTING TO REALIZE THAT Industrial District Blo Leadership was also sharply critical of the lack of

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7.9 Exhibit 9 – April 5, 2017 Kurt Knecht email to Rena Leddy et al. about sidewalk clearance

Subject: Fwd: ada access From: Kurt Knecht

Date: 04/05/2017 10:49 AM

To: Rena Leddy <rena@fashiondistrict.org>, Estela Lopez <elopez@centralcityeast.org>, miguel nelson <miguel@marvimon.com>, KEITH BERTONNEAU <27664@lapd.lacity.org>, Aloaf Walker <26777@lapd.online>

Hi Everyone,

Below is an email from Geoffrey Straniere from the Department of Disability (DOD) recommending a 48 inch sidewalk clearance for enforcement purposes. This is beyond the ADA required 36 inches. My informal survey of the sidewalk conditions through the downtown area shows that businesses routinely crowd the sidewalks leaving 48 inches or less of space for passage. Differential enforcement with regards LAMC 42.00(a) (blocking the sidewalk) against homeless and businesses may present constitutional issues. To the extent there is more uniformity with 36 inches, there is stronger legal footing for using 36 inches as a standard at least with respect LAMC 42.00(a) enforcement.

----- Forwarded message

From: Geoffrey Straniere <geoffrey.straniere@lacity.org

<mailto:geoffrey.straniere@lacity.org> >
Date: Thu, Mar 30, 2017 at 2:24 PM

Subject: Re: ada access

To: Kurt Knecht <<u>kurt.knecht@lacity.org</u> <<u>mailto:kurt.knecht@lacity.org</u>>

Cc: miguel nelson <miguel@marvimon.com <mailto:miguel@marvimon.com> >, KEITH BERTONNEAU <27664@lapd.lacity.org <mailto:27664@lapd.lacity.org> >

Gentlemen - Thank you for your efforts and patience while we collectively work out the sidewalk concerns for Both Mr Nelson's environs and for the broader Skid Row neighborhood.

We at the DOD have been working with various City agencies to develop a clear and concise solution for circumstances where sidewalks are being constrained and effectively being made inaccessible by the presence of encampment or other transient, temporary barriers to public rights of way.

There are a number of conflicting guidelines to work through when determining the applicable standards and codes to issues of accessibility. Often, the Federal standards conflict with those of the States, and often further conflict with local ordinance or community standards that themselves may be in opposition to various public policies.

Here, we are evaluating the least restrictive, most accessible thoroughfare possible for existing sidewalks of various widths and dimensions, and the accessible routes that tie curb ramps, curb cuts, crosswalks, traffic signals and other traffic control devices to the in-place concrete flatwork, while trying to secure passable and accessible routes absent barriers human or otherwise.

There are three (3) applicable guidelines and ratified codes in play for the subject concern. the specified dimensions for each are as follows:

The American with Disabilities Act (The ADA) specifies a clear minimum width of 36" to establish an accessible sidewalk width.

The California Building Code (The CBC) specifies a clear minimum width of 48" to establish an accessible sidewalk width.

The Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG) specifies a clear minimum width of 60" to establish an accessible sidewalk width.

We are sensitive to creation and preservation of a barrier-free public passage route. We are sensitive to the current sidewalk field conditions, the use of which are being constrained and M are impassible by the presence of tents, temporary shelters, or accumulating debris

between sanitation control efforts.

In response to these concerns, the Department on Disability recommends that sidewalks remain accessible and barrier-free, without exception, in concurrence with California Building Code requirements that include definitions of accessibility for sidewalk surfaces widths as free and clear of obstruction, and of a sturdy, non-slip texture, with dimensions not less than 48" wide from street-side curb to opposing curb or structure, as is congruent with the LADBS adherence to the CBC to establish code compliance.

Unless otherwise stipulated by Los Angeles Department of Building and Safety officials or agency representatives, the DOD recommends that all associated stakeholders enforce current policy and procedure to assure that sidewalks remain open to the use and enjoyment of all, and work closely with neighbors and residents to accommodate those who rely on the sidewalks to maintain an accessible route to goods, services, or place of residency.

I am committed to assisting you with any issue identified herein, or for any other for which I might be a resource.

Thank you, -Geoffrey

Geoffrey L. Straniere

Senior Project Coordinator

Access Compliance

geoffrey.straniere@lacity.org <mailto:geoffrey.straniere@lacity.org>
(213) 202-2766 <tel:(213)%20202-2766>

<mailto:geoffrey.straniere@lacity.org>

On Wed, Mar 29, 2017 at 10:50 AM, Kurt Knecht <<u>kurt.knecht@lacity.org</u> <<u>mailto:kurt.knecht@lacity.org</u>> > wrote:

Miguel,

I viewed the various neighborhoods in and around the North Sea District this morning including the Fashion District, Toy District, and Flower District.

There is nothing close to 60 inch sidewalk clearance throughout these areas. Some sidewalks don't expand that length. My concern is that enforcement of 60 inches against the tents in the North Sea District would lead to complaints of uneven enforcement against homeless. In addition as mentioned before, the ADA website cites cases with 36 inches as the standard.

Kurt

On Wed, Mar 29, 2017 at 5:57 AM, miguel nelson <miguel@marvimon.com <mailto:miguel@marvimon.com> > wrote:

geoffrey, have you and kurt knecht talked yet? i'm increasingly concerned about our blocked sidewalks. i made my request for clearance on feb 24. since then, i've asked another 4 or 5 times to no avail. these sidewalks are 100% blocked. we need at least 64" clearance in order to have ample ADA access and pedestrian and delivery access.

Miguel Nelson Marvimon Productions 310 922 6609 <tel:(310)%20922-6609> 7.10 Exhibit 10 - April 20, 2017 Rena Leddy's April ED report to the board

Executive Director's Report – April 20, 2017

Advocacy

Neighborhood Prosecutor Meeting

Rena met with Central and Newton's Neighborhood Prosecutors. They work in City Attorney Mike Feuer's office. We discussed issues that are impacting the Fashion District such as the future of marijuana clinics, homeless encampments and sidewalk access. We will be meeting again to get more involved in any zoning or regulations related to the new laws legalizing marijuana and where shops will be located. Because the Fashion District doesn't have a lot of associations that other neighborhoods have (i.e. churches, schools, daycare centers, etc.) it may become a very attractive venue for these businesses.

Meeting with Assembly Member Miguel Santiago

Rena set up a meeting with Assembly member Santiago to introduce herself to him and discuss the various priorities of the Fashion District. They talked about homelessness and affordable housing as well as funding toward infrastructure improvements for the district. He lives in the Arts District and is very familiar with our neighborhood.

Meeting with LADOT re: San Pedro Safety Project and Streetscape Improvements

Rena met with LADOT to give input into improvements along San Pedro. As part of the City's safety program Vision Zero, San Pedro from Temple Street to 9th Street. Improvements include a installing a center left turn lane, upgrading existing crosswalks, installing a bike lane. We also discussed our strong wish that improvements would be made along 7th Street as well.

Homeless Policy Committee Meeting

Rena attended CCA's Homelessness Policy Committee, members heard from the Office of Mayor Garcetti and the Los Angeles Homeless Services Authority (LAHSA). The Mayor's office provided the new <u>protocols</u> related to LAMC 56.11 regarding sidewalks and the storage of personal belongings. The new protocols will be enforced by Hope Teams and managed by the City's Bureau of Sanitation. The Hope Teams are comprised of a Los Angeles Police Department officer, sanitation worker and representative from LAHSA. They are trained to provide outreach and offer services. The teams will be deployed based on service requests to 311.

We also learned about the new <u>protocols</u> related to vehicle dwelling. These protocols will sunset on June 30, 2018, as the City hopes to have more permanent housing and designated safe parking programs available. Lastly, the committee discussed storage facilities for homeless individuals' belongings across the city. Currently, the only facility is in Skid Row. Thanks to the passage of Proposition HHH, the City now has the resources to fund these facilities but needs development partners. The City has released a RFP

LAHSA provided an update on the existing San Julian Center Drop-in Center in Skid Row. The center will be renovated into a 30-40 bed crisis center for homeless adults with severe mental

illness and drug addiction. It will be a place where high-acuity homeless individuals can stay while permanent housing is being identified. LAHSA also shared the progress that has been made over the last year in increasing outreach teams, transitioning shelters to 24 hour a day operations, refining the Coordinated Entry System and fully staffing up now that resources are available.

Meeting with City Attorney Mike Feuer

Rena attended CCA's Executive Committee and heard City Attorney Mike Feuer. Feuer candidly shared his views on the Trump Administration's recent actions regarding the travel ban, provided a good overview about Special Order 40, and what the term "sanctuary city" actually means. Feuer strongly supports local law enforcement and believes Los Angeles is a safer city when law enforcement can work with the immigrant community without the fear of deportation. Special Order 40 codifies that LAPD officers will not initiate a contact to inquire about immigration status. This has been a standing policy for four decades. Feuer stated if the Trump administration withholds federal funding from Los Angeles based on Special Order 40, he is ready to litigate.

City Attorney Feuer called homelessness one of the most difficult issues since there are "legitimate conflicting interests." His office is playing a significant role by establishing homeless courts and appointing a contact person within his office. The mobile homeless court is being funded by a County of L.A. grant and allows homeless individuals to do community service instead of paying for a citation. This program serviced 1,300 people in its first year.

In addition, Feuer told the audience about a new program he is launching that will encourage existing motels to convert to housing for homelessness. He stated existing motels are good opportunities because they are already built and in many neighborhoods throughout the city. Motel owners should consider this opportunity because the city will provide a secure source of rental income and funds for capital improvements which can be viewed here.

Meeting with Deputy Chief Arcos

Deputy Chief Arcos shared the real challenges LAPD officers face when working with homeless individuals and how the SMART, RESET and HOPE teams are helpful. These are multidisciplinary teams that have experts on engaging mentally ill and substance-addicted people. The teams also have benefit experts who can assist homeless individuals get connected to housing, services and other resources. Some teams also have representatives from the City of Los Angeles Sanitation Department to assist with bulky items and encampments, as well as enforcement actions for blocked entrances and exits. The Clean and Safe Teams have been working with Sanitation in cleaning up the alleys in the district.

DTLA 2040- CCA Committee Meeting

Rena, Board members Chatoff and Levy and stakeholders Taban and Yamabee are working with the CCA DTLA 2040 Committee to address the proposed changes to the Community Plan and to

7.11 Exhibit 11 – April 21, 2017 Rena Leddy's letter to José Huizar about bike lanes



April 21, 2017

Honorable Jose Huizar Councilmember City of Los Angeles 200 N. Spring Street, Room 465 Los Angeles, CA 90012

Re: San Pedro Street and 7th Street Improvements

Dear Councilmember Huizar,

On behalf of the LA Fashion District BID, I am writing to express our full support and enthusiasm for the proposed upgrade to San Pedro Street between Temple Street and Ninth Streets with bike lanes, new high-visibility crosswalks and exclusive left-turn lanes. The proposal includes a portion of the Fashion District between 7th and 9th Streets.

We fully support the proposed improvements as we see San Pedro Street as an important thoroughfare that connects Little Tokyo, Industrial, and Fashion Districts. Furthermore, the addition of bike lanes will create safer, multi-modal transportation options in an area that is desperately lacking in transportation options other than by car.

We also want to express the need for improvements to the 7th Street corridor. This east-west thoroughfare connects the 7th and Metro Mobility Hub to Historic Core, Fashion, Industrial and the Arts Districts. We would urge the City to look at an improved DASH line, installing bicycle lanes and crosswalk improvements. We have been working with the Industrial BID and your office, which has been very responsive, to see what it takes to implement these improvements. We look forward to assisting in leading such a project along 7th Street.

Thank you for your consideration.

Sincerely,

Rena Leddy

Executive Director

cc: N. Hayward, CD 14

Bene leddy

A Simon, CD 14

7.12 Exhibit 12 - May 17-23, 2017 Rena Leddy email exchange with Bryan Eck about a meeting on DTLA 2040

From: Rena Leddy Bryan Eck To: Subject: Re: Meeting with Fashion District Date: Tuesday, May 23, 2017 4:22:48 PM How about 11 am to give you a bit more time? Rena Masten Leddy **Executive Director** LA Fashion District (213) 488-1153 On May 23, 2017, at 2:43 PM, Bryan Eck < bryan.eck@lacity.org > wrote: Hi Rena, I am free, but I would need to be back to City Hall for a meeting at 1. Would that work? Perhaps we could start at 11:30? Thanks! Bryan On Tue, May 23, 2017 at 11:59 AM, Rena Leddy < rena@fashiondistrict.org > wrote: Could you meet June 15th at lunch? From: Bryan Eck [mailto:bryan.eck@lacity.org] **Sent:** Thursday, May 18, 2017 9:16 AM **To:** Rena Leddy < rena@fashiondistrict.org> **Subject:** Re: Meeting with Fashion District Hi Rena, With the exception of Monday, that week is fairly open for me. Let me know a few days and times that work.

Thanks!

Bryan

On Wed, May 17, 2017 at 2:36 PM, Rena Leddy < rena@fashiondistrict.org > vrote:
Hi Bryan,
I'd like to set up a "workshop" with property owners in the Fashion District. Do you have time the week of June 5 th ?
Thanks!
Rena
Rena Masten Leddy, Executive Director
LA Fashion District
110 E 9th Street Suite A 1175
Los Angeles, CA 90079
tel: <u>213-488-1153 x 712</u>
fax: 213-488-5159
cell: <u>310-600-3247</u>
www.fashiondistrict.org

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Community Planning Bureau | Downtown Community Planning

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E bryan.eck@lacity.org

200 N. Spring St., Room 667 Los Angeles, CA 90012

www.dtla2040.org

BRYAN ECK

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7.13 Exhibit 13 - May 19, 2017 Rena Leddy's May ED report to the board

Executive Director's Report – May 19, 2017

Advocacy

DTLA 2040- CCA Committee Meeting

Ren and Board members Chatoff, Keller and Levy attended the CCA DTLA 2040 Committee to address the proposed changes to the Community Plan and to ensure that the Fashion District's interests are well represented. Bryan Ek, the City Planner charged with the Community Plan update was in attendance and he welcomed our comments regarding the changes to the District. We also expressed that while parking requirements might be going away for new developers, small businesses will still need to be supported by creating accessible parking. We encouraged the City to included shared public parking garages, like those found in Old Pasadena or Santa Monica. Ek also said that Street Standards will be updated, which presents an opportunity to convert some under-performing and unsafe one-way streets back to two-way service. The group was encouraged to hear that the City hopes to move away from rigid requirements and to rely more on incentives to push forward their vision.

The public benefits or "value capture" component of DTLA 2040 was also discussed, and City staff are welcome to input on how best to structure such a program. CCA has been following the development of similar programs like that found in the Exposition Corridor Transit Neighborhood Plan, and is advocating for a simpler, more predictable approach to community benefits. Attendees also asked City Planning to be sure that any such requirements were not layered on top of existing fees or requirements such as Quimby fees or the proposed linkage fee.

Housing production, affordability, and homelessness were identified as high priorities to address in the community plan update. Suggested improvements included: added residential capacity throughout Downtown, process/bureaucracy improvements at City Hall, removal of parking minimums, and tiering projects off of the community plan's EIR. CCA members are encouraged to offer other suggestions that will promote affordability in DTLA and help reduce homelessness and the concentration of poverty.

Looking ahead, the Planning department hopes to release the community plan text in early summer, to have the new zoning code (re:code LA) ready by August/September, and to publish the draft EIR in late 2017/early 2018. CCA members are invited to the DTLA 2040 Working Group's next meeting on May 19th from 10 to 11:30 a.m., which will have a special focus on Downtown mobility.

Measure H Implementation Meeting

Measure H was approved by the voters in March 2017 and will generate approximately \$355M per year for 10 years to end homelessness. Funding is focused on the following areas: a coordinated countywide outreach program, expanding bridge and crisis housing and building the Coordinated Entry System.

Due to the great challenge of siting new homeless facilities, the County, in partnership with United Way, hired a consultant to research and develop an effective and consistent message to address community concerns.

City Market South

Rena attended two public hearings in support of the City Market South project. The restaurant Rossoblu has a quiet opening on May 11th. To see more of the project check this link: http://urbanize.la/post/checking-city-market-south

Tribune Real Estate Holdings Co.

Rena met with 4 members of Tribune Real Estate Holdings, including the President, last week, to give them a tour of the District. They were surprised and excited by the all the new developments.

Clean and Safe

Meetings with UPS

Staff has been meeting with UPS every other week to ensure that they provide the services that they promised. We are currently down two people but UPS feels confident that the positions will be filled quickly. Additionally, UPS is going to offer advanced training to our senior level Team members, LGBT training and they are working with Eponics to upgrade our handheld devices and data collection. We hope to have UPS contribute to the cost of the devices and data services.

Marketing & Communications

Brand Marketing Plan

Ariana has spoken to 25 various brand and marketing companies about working with the Fashion District on creating a brand marketing campaign. We sent an RFP out and have received 9 proposals. Staff narrowed the proposals to 3-4 and ask them to give a presentation to the Image and Communications committee. The Committee chose Haines & Co. We are working on the contract.

Update - Fashion District Banners

After inventorying the district and determining where light poles exist and which ones would be the most appropriate to use to install banners, the District is hiring AAA banners. We are delaying installation until the Branding Work if complete.

Marketing Stats for 1st quarter

• Website-Visitors: 132,732

Facebook- New followers: 971; Total: 49,043
Twitter-New: 205; Total Followers: 9,436
Instagram-New: 1625; Total: 21,647
Pinterest-New: 207; Total: 5,260
Snapchat-Average views per post: 100

Little Damage on Spring Street is the Hot New Thing!

Little Damage at 700 S. Spring Street has been highlighted in Buzzfeed and Cosmopolitan Magazine recently.

See links:

https://www.buzzfeed.com/laraparker/charcoal-ice-cream-is-a-thing-now-and?utm_term=.idRne0YN0#.ljmkwlM5l

http://www.cosmopolitan.com/food-cocktails/a9571757/goth-ice-cream-trend/

 $7.14 \quad Exhibit \ 14-Vanessa \ Kanegai's \ bio \ at \ Wagstaff \ Worldwide$





VANESSA KANEGAI

Vice President

Vanessa is equally at home wearing a fashionable pair of heels as she is exploring the jungles of Panama. Her instinct for spotting trends in food, fashion, and travel keeps her constantly hungry to explore the world around her, and innovative people who make up the Wagstaff client roster inspire her daily. Her clients benefit from her experience in the hospitality world, as well as her enthusiasm and keen eye for developing newsworthy stories. In her 12 years with Wagstaff, she has represented a wide range of clients, including Kimpton Hotels, Joie de Vivre Hotels, restaurant and lounge concepts at the W Hollywood for Innovative Dining Group, Marriott Hotels, as well as a variety of food and beverage products. At the core of her work is not only an innate feel for the needs of the client, but also an appreciation for and understanding of how the media develops stories. Vanessa is a graduate of California State University, Northridge, with a B.A. in political science and an emphasis on international relations. She lives near the beach with her family including her husband and two young girls and will attend almost any social function that involves food.

7.15 Exhibit 15 – May 25, 2017 Apparel News article featuring Rena Leddy

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LA FASHION DISTRICT Leading the Los Angeles Fashion District in a New Era

By Deborah Belgum | Thursday, May 25, 2017

Every day, seven tons of trash are collected in the **Los Angeles Fashion District**, up from six tons a day last year.

More trash on the streets is just one of the challenges that Rena Masten Leddy has had to encounter since becoming the new executive director last summer of the Los Angeles Fashion District Business Improvement District.

Other problems include the homeless who camp out on the streets and sidewalks every night and addressing crime in the district.

"Providing clean and safe services is 80 percent of our business," said Leddy, who took over from Kent Smith, who stepped down as the executive director after heading up the BID for 17 years. When Smith first came on board, the district encompassed 56 blocks and had 300 business owners. Now it covers 100 blocks and has 1,000 business owners, who contribute funds for safety enforcement and clean-up crews as well as other services.

But as the district is transitioning into a hip area with 24-story apartment buildings replacing parking lots, artist lofts filling old garment manufacturing sites, and sophisticated restaurants and hotels moving in, the district is taking on a new feel that is shifting away from its fashion roots.

"There has been a lot of conversation around the vision for the next five, 10 and 20 years. How does the BID interact or help to create that new vision?" Leddy said.

Five years ago, no one would have thought there would be a high-end boutique hotel in the Fashion District. But the 2014 opening of the trendy **Ace Hotel** on Broadway in the historic **United Artists Building** led the way for others.

Soon to follow was the **Tuck Hotel**, a 14-room boutique hotel that opened late last year in a long-vacated building that once was a warehouse and brothel at 820 S. Spring St. in the heart of the Fashion District. Three new hotels are being built around 11th Street and Broadway: the **Downtown LA Proper Hotel** with 148 rooms at 1106 S. Broadway; the **Hoxton Hotel** with 164 rooms in the former **Los Angeles Railway Building** at 1060 S. Broadway; and a new 377-room hotel being developed by the **Onni Group**, which in 2016 purchased the 1920s-era **Western Pacific Building** at 1031 S. Broadway from Steve Needleman for \$56 million.

The list of new apartment buildings going up is staggering as is the number of old structures getting a new lease on life and being converted into living spaces.

In 2015, the Fashion District had 2,000 residential units. By 2018, another 3,500 will be added, and by 2020 there will be some 7,500 units in the 100-block area called the Fashion District BID, which started in 1996 as the first business improvement district in Los Angeles. There are now more than 950 property owners in the BID, who pay fees to support the district's annual \$4.5 million budget.

Small, hip and independent stores are quickly popping up too. Everyone is flocking to **Little Damage**, a soft-serve ice cream store at 700 S. Spring St. that constantly changes its unique flavors and has been written up in *TeenVogue*, *Glamour* and *Cosmopolitan*. **Pop Obscure Records** at 735 S. Los Angeles St. is generating buzz for its collection of used records. And an art gallery is going up soon between Eighth and Ninth streets on Los Angeles street.

Reflecting the rise of the Fashion District, Los Angeles Street between Seventh Street and Olympic Boulevard is getting a \$1.77 million streetscape makeover with 26 new trees, sidewalk improvements, curb bump-outs and lighting at bus stops.

As the demand for traditional showroom and retail space declines, the BID and its property owners will have to figure out how to fit in with the changes. "There is a lot of stuff on our plate besides clean and safe," said Mark Chatoff, one of the founding members of the BID and president of the **California Flower Mall**.

That is one of the reasons Leddy was selected to lead the Fashion District BID. Over the past decades, she has worked on business improvement districts in Stamford, Conn.; New Haven, Conn.; and Portland, Maine; and worked as a BID consultant on projects that took her to Grand Rapids, Mich.; San Antonio, Texas; Sheboygan, Wis.; and Paia, Hawaii.

Marketing and event planning were some of her duties working with other BIDs. She organized a helium-balloon parade when she worked in Stamford. It is still being held every year right after Thanksgiving and is one of the largest helium-balloon parades in the United States.

When she worked in New Haven, a BID property owner who had converted a long-vacant building into housing had to put in a grocery store on the ground floor as part of the city's approval process. "The developer went everywhere to recruit grocery stores with no success," she said.

So she and the building owner created a food co-op that had the feel of a small Whole Foods market. "We created the board, the membership and watched it being built and got the people who were the vendors," she said.

Elm City Market opened in 2011 with 536 members.

For the Los Angeles Fashion District, urban renewal is happening in waves. While most of the major urban renewal and changes have evolved on the western edge of the district, the grittier eastern side is slowly being transformed into a sleek urban mecca.

Where a centuries-old wholesale produce market once stood on San Pedro and 11th streets, there is now a bustling project called City Market South, where 8-year-old warehouse buildings have been transformed into cool spaces. Italian eatery Rossoblu just opened and **The Slanted Door** of San Francisco fame is another restaurant coming to the complex, which is being filled with bars, creative office spaces and an event location covering 2.5 acres. Another 10 acres is still being redeveloped. "It is a catalytic project for that area because it is so huge," Leddy said.

Leddy was on the top of the list of finalists for the executive director job. She worked as the No. 2 person at the Fashion District BID as the managing director and had a feel for the district and its problems.

"She was trained under Kent and had a lot of experience with other BIDs around the country," said Brad Luster, a Fashion District board member and president of Major Properties, which owns a few buildings in the Fashion District.

Others like the new perspective she has brought to the job. "She has brought fresh energy to the board and to the BID with new ideas," said Chatoff of the California Flower Mall.

Leddy has been delegating more jobs to the board and organizing committees to tackle the various problems of homelessness and street vendors. "She is very forward looking for the district," said Mark Levy, a BID board member and president of City Market South. "She sees a future vision."

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7.16 Exhibit 16 – March 17, 2016 FDBID minutes encouraging votes for Rena Leddy for DLANC Board



LA Fashion District BID Board of Directors Minutes

Thursday, March 17, 2016

Board Members Present: Linda Becker, Mark Chatoff, Mark Cohen, Jorge Flores, Matthew Haverim, Steve Hirsh, Elisa Keller, Yul Kwon, Laurie Rosen, Brian Taban, John Van den Akker,

Board Members Absent: Lisa Korbatov, Darlene Kuba, Bradley Luster, Debbie Welsch **Guests Present:** Jessica Whaley & Audrey Bellis – StartUp DTLA, Fabio Vasco – GTL, LLC.

The meeting convened at 11:52am.

- 1. Public Comment: None
- **2. Welcome & Introductions:** Board Members, Guests, and Staff went around the room and introduced themselves.
- 3. Presentation by Startup DTLA Audrey Bellis: Audrey Bellis presented Startup DTLA a new company backed by the City of LA & Mayor Garcetti. StartUp DTLA is a non-profit for the tech & creative community in Los Angeles. Housed in the Wells Fargo tower, it will become a community center with digital media labs, event space, office space, and a VC/Angel Investor Lounge for Tech/Creative startup companies. Currently, they are in the process of locating DTLA property owners who are willing to partner with the organization and offer office space for the Startup companies they work with. Contact Audrey at hello@StartUpDTLA.com for more information.
- **4. Approval of Minutes: February 18, 2016:** Linda Becker moved to approve the minutes from February 18, 2016. Jorge Flores seconded. The motion was approved by unanimous decision.
- 5. Financial Committee: Mark Cohen reported that the Finance Committee met with CPA Fabio Vasco from GTL, LLC to go over the 2015 Annual Review. The Committee recommended the Board approve the Annual Review with the amendment of adding the word "cash" before "Investments Other" on page 3. Board members assessed the Annual Review and discussed financial questions with Fabio Vasco.
 - a. ACTION ITEM: Approve the Annual Review for FY '15: Mark Chatoff moved to approve the 2015 Financial Annual Review with the amendment of adding the word "cash" before "Investments Other" pg 3. Brian Taban seconded. The motion was approved by unanimous decision.
- 6. ACTION ITEM: Letter of Support Senate's "No Place like Home": Kent Smith introduced "No Place like Home" a bi-partisan initiative that is being proposed by Kevin De Leon. The initiative would generate a 2 billion dollar bond geared toward assisting California with homelessness. The funds would be repurposed from the current "Millionaires Tax" that is set to assist with mental health issues. Given the strong correlation between homelessness and mental health the Board decided to support the initiative. Mark Chatoff moved to approve the letter of support included in the Board of Directors packet for the "No Place Like Home" initiative. Linda Becker seconded. The motion was approved by unanimous decision.

Attachment 1

- Santana put together a report detailing a "Repair and Release" program to transition the responsibility of sidewalk repair from the City of LA back to the property owner. If adopted, the City would repair all LA sidewalks over the span of 20 years. Once a sidewalk is repaired it would then become the responsibility of the Property Owner to maintain. In an effort to speed the process the City has incentivized the program for Property Owners by allowing them to find their own contractor, waiving permit fees, and paying for half the cost of the repair. They will also instate a 5 year warranty on the sidewalk after a City Inspection. The incentivized program will be available for the first 3 years. Elisa Keller moved to approve the letter of support included in Board of Directors packet for the Sidewalk "Repair and Release" Program. Laurie Rosen seconded. The motion was approved by unanimous decision.
- **8. Operations Committee Report:** Kent Smith reported that Captain Howard Lesley, who came from the LAPD Wilshire Division, will be taking over as Captain for Central Division. He also reported that we are still dealing with the issue of graffiti vandalism but are working closely with the City Attorney's office to prosecute cases that arise in the Fashion District.
- 9. Image & Communications Committee Report: Rena Leddy reported that the Committee has started discussing the Urban Dinner Party and decided it will be held in October. The Fashion District is also working in conjunction with Downtown Center BID & FIDM to establish #FashionFridays, which would highlight Fashion vendors spanning the two Districts. Lastly, the Fashion District has started its 2016 Prom Campaign with promotion and marketing in full effect.
- **10. Executive Director's Report:** Kent Smith reported that the Neighborhood Integrity Act efforts have been suspended until March 2017, with Build LA set to move forward this November. The timeline for installing Metro's bike stations is set and will begin in June. Metro will be placing 7 stations throughout the Fashion District, each station will absorb 3 street parking spaces. Kent also announced that there will be a hearing for SB876 March 29th in Sacramento.
- **11. New Business:** Kent Smith announced that Rena Leddy is running for the Fashion District Representative for DLANC and property owners/tenants should make sure they vote.
- 12. Adjourn: The meeting adjourned at 1:38pm.

7.17 Exhibit 17 – April 21, 2016 FDBID Executive Director's report encouraging votes for Rena Leddy for DLANC

EXECUTIVE DIRECTOR'S REPORT

April 21, 2016

ADMINISTRATION

Vote for Rena Leddy in DLANC Election! It is a contested race.

Rena Leddy, LA Fashion District BID Managing Director, is running for the Downtown Neighborhood Council's business seat, representing the BID. There is one other person running against her. This year, the elections are being held online and in person. In order to vote online, you must first register to do so.

Register NOW and **BEFORE** April 28 at www.empowerla.org/vrp.

- You will need to upload a form of ID and some form of proof that you work, live, and/or own a business in the neighborhood.
- Elections run online between April 14 and May 5, 2016.

California Downtown Association Succeeds in Stopping SB 876

The California Downtown Association worked with BIDs, and downtown organizations around the state, including the Fashion District, to put a stop to the proposed legislation SB 876, Homelessness. This bill would have been another version of the "Right to Rest Act" that we've defeated two other times in the last three years. The Senator who proposed the bill is termed out at the end of 2016. This bill proposed preserving the homeless' right to live and eat on the streets and sidewalks of our cities. The bill did not offer any practical solutions towards addressing homelessness. Instead it would have prohibited cities, counties and municipal agencies that receive state funds from regulating resting in public spaces. The bill would also have dramatically hindered a local municipality's ability to maintain parks, sidewalks and other public spaces in a safe and clean manner.

City Council Sets New Limits on the Belongings of Homeless

This week City Council revised the law known as Ordinance 56.11 to allow people to have only as much stuff as they can fit into a 60 gallon container. City Councilman, Joe Buscaino said the measure balanced the City's need for safe and clean streets with homeless people's personal property rights. Under the revised law, the homeless can be cited or arrested for a misdemeanor if they fail to clear the sidewalks or fail to take down their tents/encampments between 6:00 a.m. and 9:00 p.m. The City will cite a homeless person if they have excessive personal property after providing 24 hours' notice. The City will store the items for 90 days, during which time the owners can claim the items. With no warning, the City can seize and impound a tent that is not taken down during the 6:00 a.m. to 9:00 p.m. time frame. They will be allowed to erect tents after 9:00 p.m. They can leave their tents up if the weather drops below 50 degrees. Bulky or contaminated items can be seized and discarded without warning. This revised ordinance is in response to the many encampments that have creeped up all over the city, not just downtown. There has been a 20% increase in homelessness in the last two years in Los Angeles.

7.18 Exhibit 18 - May 19, 2016 FDBID Executive Director's report mentioning Rena Leddy's election to DLANC Board

EXECUTIVE DIRECTOR'S REPORT

May 19, 2016

ADMINISTRATION

Kent Smith Announces Retirement from the BID

On April 28th, Kent Smith announced his retirement from the Fashion District BID. His last day is July 28th. The Board of Directors has created an Ad Hoc Committee to facilitate the search for an Executive Director and transition.

Rena Leddy wins DLANC Election!

In a contested race, Rena Leddy, LA Fashion District BID Managing Director, won the Neighborhood Council's business seat, representing the BID. She begins representing the business community at the July Meeting.

BID Staff Attend the California Downtown Association Conference in Oakland

Last week, Kent Smith, Rena Leddy and Ariana Gomez attended the CDA conference in Oakland with about 120 other downtown and district professionals. There were sessions on BID renewal, marketing, retail, homelessness, and place making to name a few. Kent Smith moderated a panel on advocacy and the role of BIDs.

Retail Consultant Begins Work

Last week, MJB Consulting began work in and around the Santee Alley as part of the Retail Study that Santee Alley and the Fashion District BID are working on. The study will include:

- Identifying of trends in Retail
- Identifying trends in Retail in Los Angeles, Downtown and specifically Fashion District
- Understanding what these trends mean for Santee Alley and adjacent retail streets Given how retail in downtown, Los Angeles and Globally has been evolving
- Understanding what Santee Alley and the surrounding neighborhood could do to take action, given how retail in downtown, the city as a whole and globally has been evolving

A strategy will be outlined in two ways:

- If we do nothing, this is what the neighborhood will look like in 5 years.
- If we want to do something to alter the projection or situation, here's what the neighborhood could look like.

The final product will provide a summary detailing reasons for recent challenges, proposal of viable options for re-tenanting or repositioning and outlining relevant considerations. There will be several more visits from MJB and additional meetings will be set up with property owners.

7.19 Exhibit 19 – June 13, 2017 DLANC Board of Directors minutes



BOARD OF DIRECTOR'S MEETING MINUTES (DRAFT)

DOWNTOWN LOS ANGELES NEIGHBORHOOD COUNCIL REGULAR AND SPECIAL BOARD MEETINGS MINUTES (DRAFT)

Meeting Date: June 13, 2017 Meeting Time: 6:30 PM

Meeting Location: Los Angeles Theatre, 630 S. Broadway **Contact:** patti.berman@dlanc.com for more information

(Note: A special Board occurs during this regular Board meeting. Those notes are included here.)

Call to Order / Roll Call

The meeting began at 6:38 pm with 15 Board members present.

Attending Board Members:

Patti Berman, President

Robert Newman, Vice President

Wendall Blassingame

Arianna Nussdorf

Michael Delijani (Ed Baney is alternate tonight)

Beverly Christiansen

Estela Lopez (arrived late)

Nate Johnson

Rena Leddy (arrived late)

Amber Maltbie

Josh Kreger

Dan Curnow (new alternate Lock Hoffman is sworn in during meeting)

Rufus Washington (Betsy Starman is alternate tonight)

Jacob Van Horn

Priscilla Bejarano

Ian Chi-Young

Scott Bytof

Nathaniel Cormier

Amara Ononiwu (Angie Rodriguez, who is the alternate tonight, arrived late)

Non-Attending Board Members:

Eduardo Alvarado

Josh Albrektson

Andrew Douglas

James Todd

Kristina Ferris

Patti Berman	Present	Kristina Ferris	Absent
Josh Albrektson	Absent	Estella Lopez	Present
Andrew Douglas	Absent	Nate Johnson	Present
Wendell Blassingame	Present	Rena Leddy	Present
Ian Chi-Young	Present	Amara Ononiwu (alt.)	Absent
Ariana Nussdorf	Present	Michael Delijani (alt.)	Present
Jacob Van Horn	Present	Amber Maltbie	Present
Priscilla Bejarano	Present	Josh Kreger	Present
James Todd	Absent	Eduardo Alvarado	Absent
Scott Bytof	Present	Robert Newman	Present
Nate Cormier	Present	Rufus Washington (alt.)	Present
Beverly Christiansen	Present	Dan Curnow (alt.)	Present

Parliamentarian Ivan Speigel and Neighborhood Council Advocate Mario Hernandez are also here.

(Note: Rena Leddy arrived at 6:40pm.)

1. Swearing in of vetted alternates.

Dan Curnow alternate Vlad Kopman is sworn.

(Note: Nate Cormier arrived at 6:49pm.)

- 2. Speakers
- Declarations of Ex Parte communications
 None
- 4. General Public Comment
- 5. MOTION: The Board shall approve the Minutes from 05-2017.

Wendall Blassingame made the motion. Ian Chi-Young seconded.

Corrections include the misspelling of Board member names for Arianna Nussbaum and Jasmine Ramos, the alternate for Rena Leddy.

VOTE to approve amended May minutes 15-0-2 PASSED

Patti Berman	N/A	Kristina Ferris	
Josh Albrektson		Estella Lopez	Yes
Andrew Douglas		Nate Johnson	Yes
Wendell Blassingame	Yes	Rena Leddy (alt.)	Yes
Ian Chi-Young	Yes	Amara Ononiwu	
Ariana Nussdorf	Yes	Michael Delijani (alt.)	Yes
Jacob Van Horn	Abstain	Amber Maltbie	Abstain

Priscilla Bejarano	Yes	Josh Kreger	Yes
James Todd		Eduardo Alvarado	
Scott Bytof	Yes	Robert Newman	Yes
Nate Cormier	Yes	Rufus Washington (alt.)	Yes
Beverly Christiansen	Yes	Dan Curnow (alt.)	Yes

- 6. President's Report
- 7. Consent Calendar: **
 - a. None
- 8. Old Business
 - a. None
- 9. New Business:
 - a. Financial Issues:

RECESS REGULAR MEETING AT 7:02PM

BEGIN SPECIAL MEETING at 7:02pm

ii. MOTION: The Board will approve the additional expenditure of \$783.20 to Swag Promo for Outreach materials. Moneys to come out of the Outreach budget.

Beverly Christiansen made the motion. Robert Newman seconded.

VOTE 17-0-0-1 PASSED

Patti Berman	N/A	Kristina Ferris	
Josh Albrektson		Estella Lopez	Yes
Andrew Douglas		Nate Johnson	Yes
Wendell Blassingame	Yes	Rena Leddy (alt.)	Yes
lan Chi-Young	Yes	Amara Ononiwu (alt.)	Yes
Ariana Nussdorf	Yes	Michael Delijani (alt.)	Yes
Jacob Van Horn	Yes	Amber Maltbie	Yes
Priscilla Bejarano	Yes	Josh Kreger	Yes
James Todd		Eduardo Alvarado	
Scott Bytof	Yes	Robert Newman	Yes
Nate Cormier	Yes	Rufus Washington (alt.)	Yes
Beverly Christiansen	Yes	Dan Curnow (alt.)	Ineligible

3. Adjourn

Jacob Van Horn made the motion to adjourn the Special Meeting. Robert Newman seconded.

END SPECIAL MEETING AT 7:07PM

RESUME REGULAR MEETING AT 7:07PM

- 9. New Business -- REVISITED
 - a. Financial Issues:
 - i. MOTION: The Board approves the May 2017 Monthly Expenditure Reports

Beverly Christiansen made the motion. Wendall Blassingame seconded.

(Note: Angie Rodriguez, the alternate for Amara Ononiwu, arrived at 7:10pm.)

VOTE for MER 17-0-1-1 PASSED

(Note: New alternate Lock Hoffman hasn't completed financial training so he is ineligible to vote on financial motions.)

Patti Berman	N/A	Kristina Ferris	
Josh Albrektson		Estella Lopez	Yes
Andrew Douglas		Nate Johnson	Yes
Wendell Blassingame	Yes	Rena Leddy (alt.)	Yes
lan Chi-Young	Yes	Amara Ononiwu (alt.)	Yes
Ariana Nussdorf	Yes	Michael Delijani (alt.)	Yes
Jacob Van Horn	Yes	Amber Maltbie	Yes
Priscilla Bejarano	Yes	Josh Kreger	Yes
James Todd		Eduardo Alvarado	
Scott Bytof	Yes	Robert Newman	Yes
Nate Cormier	Yes	Rufus Washington (alt.)	Yes
Beverly Christiansen	Yes	Dan Curnow (alt.)	Ineligible

ii. MOTION: The Board will approve the additional expenditure of \$657.18 to Swag Promo for Outreach materials.

President Berman said that she is withdrawing this motion because it is inaccurate.

iii. Selection of Budget Advocates

Scott Bytof discussed the selection of Budget Advocate representatives and the June 24 is Budget Day event. Betsey Starman and Robert Newman expressed interest in attending the event and serving as Budget Advocate.

VOTE for Betsy Starman and Robert Newman by affirmation 18-0-0 PASSED

|--|

Josh Albrektson		Estella Lopez	Yes
Andrew Douglas		Nate Johnson	Yes
Wendell Blassingame	Yes	Rena Leddy (alt.)	Yes
Ian Chi-Young	Yes	Amara Ononiwu (alt.)	Yes
Ariana Nussdorf	Yes	Michael Delijani (alt.)	Yes
Jacob Van Horn	Yes	Amber Maltbie	Yes
Priscilla Bejarano	Yes	Josh Kreger	Yes
James Todd		Eduardo Alvarado	
Scott Bytof	Yes	Robert Newman	Yes
Nate Cormier	Yes	Rufus Washington (alt.)	Yes
Beverly Christiansen	Yes	Dan Curnow (alt.)	Yes

b. Outreach

i. REPORT None

c. Government Liaison

i. CIS "In Support of" Council File No. 15-1088-S1 (Matching Funds Rate Increase)

1. CF Summary:

- a. File opened January 10, 2017, with referral to Rules, Elections, Intergovernmental Relations, and Neighborhoods Committee but item not set for agenda
- b. The file would instruct the Ethics Commission to prepare an ordinance increasing the matching fund rates from the current 2:1 match in primary elections and 4:1 match in general elections to 6:1 in both primary and general elections for all candidates who qualify for matching funds. The Ethics Commission would be further instructed to study whether maximum percontribution matches should be lowered. The City Administrative Officer is directed to report on the impacts these changes would have on the General Fund.

2. Arguments for CF:

- a. DLANC and GLC have heard about the CF from Sylvia Moore at Common Cause, who provided numerous materials demonstrating the propriety of increasing matching fund rates in local elections in LA.
- b. The CF motion has been under consideration for several years (under a different CF number), and it is time for the City to at least schedule a vote on the CF.
- c. Studies of the history of matching fund rates in LA, as well as empirical evidence from New York City, demonstrate the CF would likely encourage voter turnout by incentivizing candidate engagement with small, local donors. This could increase depth of candidate pool, which is generally an issue in local

elections (contrary to Downtown's recent experience with the CD-34 congressional election).

d. While the CF, on its own, might not radically transform our campaign system, it is an important step to take. The Citizens United decision has severely hamstrung any legal efforts to minimize discrepancies in campaign spending. The proposals in this CF could make a meaningful difference and, at the very least, demonstrate the City's commitment to creatively empowering voters and new candidates.

3. Arguments against CF:

- a. The CF could have a limited impact on the various local elections, especially given more significant issues like entrenched incumbents and private campaign donations.
- b. The City's previous experience with changing matching fund rates does not guarantee any positive benefits. If successful, the CF could cost a significant amount of money, while diluting the candidate pool.
- 4. Motion: The Downtown Los Angeles Neighborhood Council ("DLANC") should submit a Community Impact Statement in support of Council File 15-1088-S1. The proposals to increase matching fund rates and decrease maximum per-contribution limits could have a meaningful effect on political diversity and voter engagement. At the very least, the City should schedule Council File 15-1088-S1 for immediate consideration by the proper Committees and City Council. DLANC should submit the letter posted with this Agenda in support of the Community Impact Statement.

Nate Johnson made the motion. Jacob Van Horn seconded.

VOTE 18-0-0 PASSED

Patti Berman	N/A	Kristina Ferris	
Josh Albrektson		Estella Lopez	Yes
Andrew Douglas		Nate Johnson	Yes
Wendell Blassingame	Yes	Rena Leddy (alt.)	Yes
lan Chi-Young	Yes	Amara Ononiwu (alt.)	Yes
Ariana Nussdorf	Yes	Michael Delijani (alt.)	Yes
Jacob Van Horn	Yes	Amber Maltbie	Yes
Priscilla Bejarano	Yes	Josh Kreger	Yes
James Todd		Eduardo Alvarado	
Scott Bytof	Yes	Robert Newman	Yes
Nate Cormier	Yes	Rufus Washington (alt.)	Yes
Beverly Christiansen	Yes	Dan Curnow (alt.)	Yes

- d. Planning and Land Use Committee (all letters are in the packet) CUB letters of support will be sent to the Los Angeles City Department of Planning, Office of Zoning Administration, unless otherwise noted in item.
 - i. Presentation by: Monica Vu

Case Number: ENV-2015-1159-EAF, CPC-2015-1160-DA, CPC-2015-1158-TDR-

MCUP-CUX-SPR

Project Location: 1020 S. Figueroa St. Los Angeles, CA 90015

Project Description/Request: Project supported by DLANC on 7/14/15. Design modified as follows: Overall development floor area reduced by 24%, residential units reduced by approximately 33%, commercial uses reduced by approximately 31%, digital signage reduced by approximately 63% and construction impact reduced by eliminating 32 story tower.

MOTION: "DLANC shall submit a letter in support of the Applicant's modified design in Planning Case No. ENV-2015-1159-EAF, CPC-2015-1160-DA, CPC-2015-1158-TDR-MCUP-CUX-SPR. Note that the project has previously received support from DLANC on July 14, 2015, and this is a support for a modified design."

(PLUC Vote Count: Yes: 8; No: 0; Abstention: 1; Absent: 1, Recused: 0)

ii. Presentation by: John Howland
Case Number: CPC-2013-4050-GPA-ZC-HD-SN-CU-MCUP-ZV-SPR, CPC-2013-4051-DA

Project Location: 1057 S San Pedro St, Los Angeles, CA 90015
Project Description: Note, Project was previously supported by DLANC in 2013. This request is for an updated support letter. The Applicant is seeking to redevelop the site with a mixed use project consisting of educational, office, residential, hotel, entertainment and retail uses. The project is designed to achieve a maximum FAR of 4.10:1 which generates approximately 1.79 million square feet of floor area. Request: The Applicant, The City Market of Los Angeles, requests approval of the following discretionary actions:

- 1. Pursuant to California Government Code Sections 65864-65869.5, the Applicant respectfully requests approval of a Development Agreement ("DA") for a period of 25 years.
- 2. Pursuant to LAMC Section 11.5.6, as authorized by the Los Angeles Charter Section 555, a General Plan Amendment to change the land use designation from Light Manufacturing ("LM") to Regional Commercial ("RC") and apply the existing General Plan Footnote No. 4 to the Project Site which will create consistency with the Project scope and the proposed C2 zone change
- 3. Pursuant to LAMC Section 12.32 F & Q, a Vesting Zone Change from M2-2D to [Q]C2-2 to permit the construction of the project described below, including provisions for the application of the Land Use Equivalency Program.
- 4. Pursuant to LAMC Section 12.32 F, the Applicant respectfully requests approval of a Height District change to apply a new 'D' limitation to modify the allowable FAR from 3:1 to 4.1:1below.

- 5. Pursuant to LAMC Section 12.32 S, a Supplemental Use District to permit a sign district covering the Property in order to enhance the theme and unique qualities of the entire Project.
- 6. Pursuant to LAMC Section 12.24 W 19 a Conditional Use Permit to allow FAR averaging in a unified development not to exceed 4.1:1 FAR over the entire Site. However, a maximum FAR of 4.43:1 will be permitted on Block 1, 3.40:1 FAR on Block 2, 2.43:1 FAR on Block 3 and 7.19:1 of Block 4.
- 7. Pursuant to LAMC Section 16.05, the Site Plan Review Site Plan Review for a project
 - a. That meets the provisions specified in the LAMC Section 12.24 U14 (c) (2) as a major development project, and
 - b. That results in an increase of 50,000 gross square feet or more of nonresidential floor areas and/or 50 or more dwelling units or guest rooms
- 8. Pursuant to LAMC Section 12.24 W 1, a Master Conditional Use Permit for the offand on-site sales of alcoholic beverages in retail establishments, bars and restaurants. Specifically, the Applicant is requesting:
 - a. 3 total off-site sales permits with 2 offering a full line of alcohol and 1 offering beer and wine.
 - b. 20 on-site sales permits with 17 offering a full line of alcohol and 3 offering beer and wine.
- 9. Pursuant to LAMC Section 17.01 and 17.15, the Applicant respectfully requests approval of a Vesting Airspace Tentative Tract Map to permit the merger and resubdivision of the land and the creation of five ground lots containing 14 air space lots necessary to facilitate the development of a mixed-use project defined below.
 - a. Lot Configurations
 - i. Block 1: consisting of 1 ground Lot, Airspace 8 and approximately 240,071 square foot of lot area.
 - ii. Block 2: consisting of 2 ground lot, 6 air space lots and approximately 132,399 square feet of lot area
 - iii. Block 3: consisting of 1 ground lot and approximately 16,600
 - iv. Block 4: consisting of 1 ground lot, no air spaces lots and approximately 22,885 square feet of lot area.
 - b. The Applicant is also requesting partial vacation of the alley located within Block 2 of the site which is surrounded by San Pedro, San Julian, 12th and 11th Streets.
 - c. Merge that portion of San Julian Street (Approx. 2 ft.) which is over dedicated.

d. Reduction from Advisory Agency's Parking Policy to allow parking to be calculated based on LAMC. In addition to the specific discretionary actions identified above, other discretionary approvals may be required from the Lead Agency and various responsible agencies, including but not limited to demolition including street trees, grading, excavation, and foundation permits, and haul route approval.

In addition to the specific discretionary actions identified above, other discretionary approvals may be required from the Lead Agency and various responsible agencies, including but not limited to demolition including street trees, grading, excavation, and foundation permits, and haul route approval.

MOTION: "DLANC shall submit a letter in continued support of all of Applicant's (9) requests in Planning Case No. CPC-2013-4050-GPA-ZC-HD-SN-CU-MCUP-ZV-SPR, CPC-2013-4051-DA."

(PLUC Vote Count: Yes: 9; No: 0; Abstention: 0; Absent: 1, Recused: 0)

iii. Presentation by: Christopher Murray

Case Number: ENV-2017-1288-CE, DIR-2017-1287-SPP Project Location: 910 S Broadway Los Angeles, CA 90015

Project Description: The Applicant, Colossal Media Group, is requesting a Project Permit Compliance for a hand-painted Secondary Façade sign on the north building elevation of approximately 1,417 SF within Broadway Sign Supplemental Use District Specific Plan. Request: Pursuant to LAMC Section 11.5.7 and in accordance with the provisions of the Historic Broadway Sign Supplemental Use District, a Plan Permit Compliance approval to construct, use, and maintain an approximately 1,417-square foot Secondary Façade Sign with changeable copy (content of the sign will be changed periodically during the life of the requested grant) on an existing seven-story building, which is approximately 85-foot in height, and located within the [Q]C2-4D-CDO-SN Zone at 908-910 S. Broadway within the Central City community of the City of Los Angeles. No change to the footprint of floor area of the existing building is proposed as part of this request.

Recommended action: "DLANC shall submit a letter in support of the Applicant's request in Planning Case No. ENV-2017-1288-CE, DIR-2017-1287-SPP with the condition that the changeable copy will always adhere to the Historic Broadway Sign Guidelines. Note that no exceptions to Broadway Sign Guidelines are being requested by Applicant." (PLUC Vote Count: Yes: 8; No: 0; Abstention: 0; Absent: 1, Recused: 1

iv. Presentation by: Elizabeth Peterson

Case Number: ENV-2017-1459-CE, ZA-2017-1458-CUB Project Location: 855 S Broadway, Los Angeles, CA 90014

Project Description/Request: Pursuant to LAMC 12.24-W.1, Applicant requests a conditional use to permit the continued on-site sales and consumption of beer and wine in conjunction with an existing 1,404 SF ground floor café having 36 interior seats with an additional 8 seats on 124 SF of uncovered outdoor dining with hours of operation from 6am to 2am daily.

MOTION: "DLANC shall submit a letter in support of the Applicant's request in Planning Case No. ENV-2017-1459-CE, ZA-2017-1458-CUB."

(PLUC Vote Count: Yes: 9; No: 0; Abstention: 0; Absent: 1, Recused: 0)

v. Presentation by: Thea Trindle

Case Number: ZA-2017-1843-CUB

Project Location: 108 W 2nd St #105-106, Los Angeles, CA 90012

Project Description/Request: Pursuant to LAMC 12.24 W-1, A conditional use permit to allow for the sale of a full line of alcoholic beverages for on-site consumption in conjunction with an existing 5,282 SF restaurant with 64 indoor seats on the ground floor, a 500 SF mezzanine with 26 indoor seats, and a 340 SF enclosed, outdoor patio in the public right of way with 32 seats. Proposed hours of operation are 7:00AM-10:00PM on the proposed patio).

MOTION: "DLANC shall submit a letter in support of the Applicant's request in Planning

Case No. ZA-2017-1843-CUB."

(PLUC Vote Count: Yes: 8; No: 0; Abstention: 0; Absent: 1, Recused: 1)

President Berman said that she wants to bundle these land use motions.

Scott Bytof made a motion to bundle all of the land use items. Rena Leddy seconded.

VOTE 18-0-0 PASSED

Patti Berman	N/A	Kristina Ferris	
Josh Albrektson		Estella Lopez	Yes
Andrew Douglas		Nate Johnson	Yes
Wendell Blassingame	Yes	Rena Leddy (alt.)	Yes
Ian Chi-Young	Yes	Amara Ononiwu (alt.)	Yes
Ariana Nussdorf	Yes	Michael Delijani (alt.)	Yes
Jacob Van Horn	Yes	Amber Maltbie	Yes
Priscilla Bejarano	Yes	Josh Kreger	Yes
James Todd		Eduardo Alvarado	
Scott Bytof	Yes	Robert Newman	Yes
Nate Cormier	Yes	Rufus Washington (alt.)	Yes
Beverly Christiansen	Yes	Dan Curnow (alt.)	Yes

- e. Executive Committee
- f. Urban Needs and Resources
- g. Livability
- h. AD HOC

Robert Newman said that the Ad Hoc Committee's first meeting will be June 28. James Woods Center. 6pm. All stakeholders will be invited.

- i. REPORT
 - i. Officer Reports
 - ii. VP Administration
 - iii. Secretary
- j. Representative Reports
 - iii. Homeless

Robert Newman aid that the first meeting for the Homeless Committee was on May 31. The City administrator office representative was there.

- 10. General Public Comment
- 11. Other Board Member Announcements
- 12. Next Meeting Tuesday July 11, 2017
- 13. Adjourn

Robert Newman made the motion. Ian Chi-Young seconded.

The meeting ended at 7:43pm.

7.20 Exhibit 20 – Los Angeles City Attorney advice for NCs on conflicts of interest

Congress of Neighborhoods Office of the City Attorney - Neighborhood Council Advice Division

STATE AND CITY CONFLICT OF INTEREST LAWS: INFORMATION FOR BOARD MEMBERS OF NEIGHBORHOOD COUNCILS

Conflict of Interest Laws Governing Neighborhood Councils

Board members of Neighborhood Councils who are given governmental decision-making authority, must comply with the following conflict of interest laws: The Political Reform Act of 1974, as amended (Government Code § 81000, et seq.), Government Code § 1090 et seq, and the common-law conflict of interest rules. Because of the enactment of Ordinance No. 176477 ¹, Neighborhood Councils are not required to have a conflict of interest code, required to fill out the state (Form 700) disclosure statement and no longer are subject to the City's Governmental Ethics Ordinance (Los Angeles Municipal Code § 49.5.1 et seq.) However, compliance with the rules of these state laws is still required. A brief explanation of these laws follows.

The Political Reform Act.

The Political Reform Act is a state law that sets up rules and regulations to ensure that governmental officials are free from bias caused by their own financial interests and act in an impartial matter.

Basic Prohibition. Under the Act, public officials are disqualified from participating in government decisions in which they have a financial interest. There are five basic tests to ascertain whether you might have a financial interest under the Act. When all of the following are true, you would have a disqualifying interest:

ū	you are a public official;
o	you make, participate in making, or use your official position to influence the making of a decision;
ū	you have a statutorily defined economic interest (your finances or those of members of your immediate family, investment in a business, interest in real property, source of income or gifts, management position in a business) that may be affected by the decision;
ū	it is reasonably foreseeable that the decision will have a <i>material financial</i> effect on your economic interest;
۵	the decision will affect your economic interest in a way that is distinguishable from its effect on the public generally or a significant segment of the public.

See, Los Angeles Administrative Code § 2.20.1

A neighborhood council member who is disqualified must abstain from making, participating in making or attempting to use his or her official position in any way to influence the government decision.

Persons Covered. The Act treats "members of local governmental agencies" as public officials. Public officials who make, participate in the making of, or influence or attempt to influence a governmental decision must comply with the Act's provisions. Neighborhood Councils are potentially covered by the Political Reform Act because the City Attorney has concluded that Neighborhood Councils are local governmental agencies. Thus, the City Attorney concluded, if Neighborhood Councils are delegated the authority to make certain "governmental decisions," such as "hiring of staff, entering into contracts for goods or services or control over funds in the City budget" then the board members of those Neighborhood Councils would be "public officials" for the purposes of the Act.²

Participation In Decision-Making. Neighborhood Councils are advisory bodies. Their role is to make recommendations to the various City decision-makers, including City boards, commissions, City Council committees and the City Council. City Charter § 907. This role falls within the "make, participate in making, or attempting to influence a government decision" provision of the Act. Once a neighborhood council board member has been delegated the authority to make "governmental decisions," as enumerated above, on behalf of its neighborhood council, even the member's votes on "non-governmental" or purely advisory recommendations will be subject to the conflict-of-interest provisions.³

Economic Interests Covered. What is a financial interest is often complicated and fact-based, but there are basic types of economic interests that the Act covers:

u	a business entity in which you, or a member of your immediate family, owns an investment or in which you are an officer or director or hold a management position in that business entity;
0	real property in which you, or a member of your immediate family, owns an interest;
	any person or entity that is a source of income or loans to you or your spouse; or
ū	any person or entity that has given you a gift within the last year.

² Making *recommendations* as to whether the City should or should not enter into a contract will also trigger the Act's requirements. In this instance, this means making a recommendation about a *specific* contract which is coming before the City for action or recommending qualifications/specifications for a city contract. Merely advising the City as to whether, for example, the City should pave a certain street or install lighting, which decisions might ultimately result in the City entering into a contract for those services, would not trigger the Political Reform Act requirements for the neighborhood council providing this advice.

³ Thus, a board member who makes "governmental decisions" must also be cognizant of, and comply with, the disqualification rules even when making a purely advisory recommendation, for example, to a City Council Committee or Area Planning Commission regarding a conditional use permit for a project located within the boundaries of that Neighborhood Council.

CLOSE

Called by Committee Chair

*REVISED - SPECIAL MEETING - RULES, ELECTIONS, INTERGOVERNMENTAL RELATIONS, AND NEIGHBORHOODS COMMITTEE

Wednesday, March 8, 2017

LOS ANGELES SOUTHWEST COLLEGE - LITTLE THEATER - 6:00 PM

1600 WEST IMPERIAL HIGHWAY LOS ANGELES, CA 90047

MEMBERS: COUNCILMEMBER HERB J. WESSON, JR., CHAIR

COUNCILMEMBER JOSE HUIZAR

COUNCILMEMBER MARQUEECE HARRIS-DAWSON

(Richard Williams - Legislative Assistant - (213) 978-1071 or email richard.williams@lacity.org)

*Revised to add agenda Item No. 2

Click here for agenda packets

Note: For information regarding the Committee and its operations, please contact the Committee Legislative Assistant at the phone number and/or email address listed above. The Legislative Assistant may answer questions and provide materials and notice of matters scheduled before the City Council. Sign Language Interpreters, Communication Access Real-Time Transcription (CART), Assistive Listening Devices or other auxiliary aids and/or services may be provided upon request. To ensure availability, you are advised to make your request at leas 72 hours prior to the meeting/event you wish to attend. Due to difficulties in securing Sign Language Interpreters, five or more business days notice is strongly recommended. For additional information, please contact the Legislative Assistant listed above.

ITEM NO. (1)

14-0366-S5

Motion (Wesson - Koretz - Martinez - et al.), and City Administrative Officer and Chief Legislative Analyst joint and individual reports, relative to Proposition D - Medical Cannabis Dispensaries / Adult Use of Cannabis Act.

Presentation by Chief Legislative Analyst and City Administrative Officer

Panel Discussion by Cannabis/Marijuana Regulators for the States of California and Colorado

Public Comment

Fiscal Impact Statement Submitted: No. Community Impact Statement: Yes.

Westside Neighborhood Council
Studio City Neighborhood Council
P.I.C.O. Neighborhood Council
Downtown Los Angeles Neighborhood Council
Greater Toluca Lake Neighborhood Council
Historic Highland Park Neighborhood Council

ITEM NO. (2)

15-1022-S2

Department of Neighborhood Empowerment Report relative to an online voting pilot for Neighborhood Council

elections.

Fiscal Impact Statement Submitted: No. Community Impact Statement: Yes.

Downtown Los Angeles Neighborhood Council
Greater Valley Glen Neighborhood Council
Los Feliz Neighborhood Council
Studio City Neighborhood Council
West Los Angeles Neighborhood Council
Bel Air-Beverly Crest Neighborhood Council
Lake Balboa Neighborhood Council
Silver Lake Neighborhood Council
Harbor Gateway North Neighborhood Council
Glassell Park Neighborhood Council
Palms Neighborhood Council

If you challenge this Committee's action(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Clerk at or prior to, the public hearing. Any writter correspondence delivered to the City Clerk before the City Council's final action on a matter will become a part of the administrative record.

Materials related to an item on this agenda submitted to the committee after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 200 North Spring Street, Room 395, City Hall, Los Angeles, CA 90012 during normal business hours.

CLOSE

Called by Committee Chair

SPECIAL MEETING - RULES, ELECTIONS, INTERGOVERNMENTAL RELATIONS, AND NEIGHBORHOODS COMMITTEE

Wednesday, March 22, 2017

JOHN FERRARO COUNCIL CHAMBER, CITY HALL, ROOM 340 - 5:30 PM

200 NORTH SPRING STREET, LOS ANGELES, CA 90012

MEMBERS: COUNCILMEMBER HERB J. WESSON, JR., CHAIR

COUNCILMEMBER JOSE HUIZAR

COUNCILMEMBER MARQUEECE HARRIS-DAWSON

(Richard Williams - Legislative Assistant - (213) 978-1071 or email richard.williams@lacity.org)

Click here for agenda packets

Note: For information regarding the Committee and its operations, please contact the Committee Legislative Assistant at the phone number and/or email address listed above. The Legislative Assistant may answer questions and provide materials and notice of matters scheduled before the City Council. Sign Language Interpreters, Communication Access Real-Time Transcription (CART), Assistive Listening Devices or other auxiliary aids and/or services may be provided upon request. To ensure availability, you are advised to make your request at leas 72 hours prior to the meeting/event you wish to attend. Due to difficulties in securing Sign Language Interpreters, five or more business days notice is strongly recommended. For additional information, please contact the Legislative Assistant listed above.

ITEM NO. (1)

15-1022-S2

CONTINUED FROM MARCH 8, 2017

Department of Neighborhood Empowerment Report relative to an online voting pilot for Neighborhood Council elections.

Fiscal Impact Statement Submitted: No. Community Impact Statement: Yes.

Downtown Los Angeles Neighborhood Council

Greater Valley Glen Neighborhood Council

Los Feliz Neighborhood Council

Studio City Neighborhood Council

West Los Angeles Neighborhood Council

Bel Air-Beverly Crest Neighborhood Council

Lake Balboa Neighborhood Council

Silver Lake Neighborhood Council

Harbor Gateway North Neighborhood Council

Glassell Park Neighborhood Council

Palms Neighborhood Council

Valley Village Neighborhood Council

South Robertson Neighborhood Council

If you challenge this Committee's action(s) in court, you may be limited to raising only those issues you or someone else raised at the public

hearing described in this notice, or in written correspondence delivered to the City Clerk at or prior to, the public hearing. Any writter correspondence delivered to the City Clerk before the City Council's final action on a matter will become a part of the administrative record.

Materials related to an item on this agenda submitted to the committee after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 200 North Spring Street, Room 395, City Hall, Los Angeles, CA 90012 during normal business hours.

March 8, 20176

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Rules, Elections, Intergovernmental Relations and Neighborhoods Committee Meeting

http://lacity.granicus.com/MediaPlayer.php?view_id=46&clip_id=16729

Presiding: Councilmember Herb J. Wesson, Chair; Councilmember Jose Huizar;

Councilmember Marqueece Harris-Dawson

Herb Wesson: Mr. Huizar if you are comfortable, I'd like to take up Item 2 and I have some cards on that item. Do you want to take the public comments first?

Jose Huizar: Take the public comments first, thank you.

Clerk: And for the record, item number 2 is a Department of Neighborhood Empowerment Report relative to an online voting pilot for neighborhood council elections.

Jay Handal: For the record, item 2, we have a CIS in on this one so I would like to get more than the one minute if that is possible Mr. Chair.

Herb Wesson: Go right ahead.

Jay Handal: Thank you sir. My name is Jay Handle and I am representing the West LA/Sawtelle Neighborhood Council and this is regarding the DONE report on elections. Needless to say, having been the director of elections during the last period, I have intimate knowledge of what worked and what did not work. Online voting in the long run will work — in the long run - but quite frankly that Beta test was not fully ready nor funded by the Council to be able to work. We have medical marijuana people here who would understand. They have a system called Indica, where you have an iPad and you put the back of your drivers license with the scanning bar, and you push a button and it populates a registration of a patient going into medical marijuana. Our system was built so that we had to hand write things, bring people in, try to type it in, hand write a code, and we had human error from top to bottom. It wasn't

funded well, it wasn't managed well and it wasn't put together well. And for the record, I was

hired way after that system was put into place. My recommendation is that you don't do online

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moving forward. You continue to suspend it unless and until the Council is ready to fund it

completely and at the same time make sure it is managed completely when the system is put together. As far as the recommendations made in the letter by the Department, the Department is asking Neighborhood Councils to violate the Charter and that is to have the Department turn around and tell us how to mold ourselves to do online voting as opposed to having online voting molded to Neighborhood Councils' bylaws. The Charter under 904 says the Department doesn't have the right to tell us how to do our geographical and our seats and that is what they are asking us to do. So rather than self-affirmation, we should be looking at the issue of selfdetermination, which is what the Charter gives us. So, I am asking you to forward to Council to continue to suspend online voting, to not approve what the Department is asking for right now, and to read both of my reports, full reports on online voting, so you can see the true facts, of what happened in online and why we had the problems we had with the last comment being the vendor that we hired, did not deliver the voter registration portal until the day of the last election. So the leak of information that went out to Studio City residents was a result of the Department having to build a portal within their own system that was not a secure portal, nor was it secure enough to have only admin send things out. So that is how information got out to the general public. It was a failure of the online company to deliver the portal that was paid for in the contract. And I would ask Mr. Chairmen and the Councilmembers to get a report back as to when that portal was actually built, why the delay happened and that will tell you a lot of reasons why we had the leak of information problem.

Judy Price: Hi I'm Judy Price with Valley Glen. If this motion goes forward and online is restored then the winner is LALA Land, nope wrong envelope. Actually, DONE is the winner, the losers are the Neighborhood Councils. I have been to LANCC meetings, BONC meetings and the majority of Neighborhood Councils have issues with online voting. It should not go forward. I agree with Jay, thank you.

Lisa Sarkin: Well first I would like to ask you a question. Is this the only hearing that will be had for this report?

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Mr. Wesson: Well I don't want to say in advance what we're gonna do until I hear what happens. So, eh, you can make your statement."

Lisa Sarkin: Well the part of the report about the Studio City neighborhood council is not true. We have given you documents that you should have in front of you for papers that were filed and I wish everyone would pay attention instead of just talking when we drive an hour and half to get here. I want to say exactly what Judy said except for the fact that no one knew what they were doing with the election, it can't be possibly ready for the online to be utilized and I support whatever it is the Skid Row Neighborhood Council to-be wants to do, because they shouldn't be pushed into something so that it ends up what happened at our election, which was an abomination.

Patti Berman: Yes, I'm Patti Berman, President of the Downtown Los Angeles
Neighborhood Council. I was told this was going to more be about the interim elections
coming up next month and not so much about the long term going forward plans for electronic
voting. Our Neighborhood Council used the electronic voting, it had a lot of issues, but we do
believe and we have sent in a CIS saying that in the future, done properly, the electronic voting
will work, but you have to be willing to put in the resources to purchase a package at the level
necessary for whatever complication there is in this particular voting model. So, I agree totally
with what Jay said about the report coming in from DONE. You can't ask us to become what
you need to work with a software package so it will be easier for the agency and for the
software package to do their job. You have to let us be ourselves. The whole purpose of NCs is
that we are supposed to be all different. Thank you.

Lidia Grant: Hi I'm Lidia Grant, a former Board of Neighborhood Commissioners

Commissioner. I would like to bring to your attention that I was the only Commissioner that voted against the online voting system to begin with because I could see the issues that were going to arise. I attend almost every Neighborhood Council Election. It was a disaster. "There are too many pieces missing in the system that we are not paying for like a card reader and

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things like that. It was a pilot program. The cost was between \$500,000 and \$800,000 for what we got and the thing is we didn't get enough. So, for you to put the system into place where it is going to be across the whole area, the costs are going to be outrageous. And I am not against the system if it's going to be done right. LANCC has also submitted a letter against it, representing Neighborhood Councils across the City. We are basically united in not wanting this. The Neighborhood Councils are supposed to be individual and autonomous. And they are not if they get rules that they have to be all the same. You as Councilmembers would not want the entire City to be able to vote for you, you are supposed to be representing your community. Rita Bia: Hi I'm Ria with Studio City Neighborhood Council. We have a CIS in on this issue. My Neighborhood Council submitted a CIS on the issue but it pretty much said we they received the information, we are looking at it, and we want to come up with recommendations. They did not at all agree with the report that was issued, we had a lot of exceptions to it. I personally reviewed the report and I felt that it was sadly lacking in a number of cases. The first was that there were certain objectives for the online voting. One was to create a secure voter registration data base. Jay has already addressed the fact that that certainly didn't happen. It was supposed to offer secure online telephone voting on the Everyone Counts platform so voters could easily vote either in person or at a polling location from any computer and that didn't happen. There were a lot of people in our Neighborhood Council, about 100 of them, who attempted to register for online and were unsuccessful. It was supposed to increase voter turnout and that certainly didn't happen. For the SCNC there were 367 in voters in 2014 vs. 390 in 2016 that increased 23 voters with 100 sitting on the sideline because they couldn't vote and didn't come to the polls so I think it was an abject failure. I agree with what was said by everyone before me which is that we do not support, I do not support, going forward with online voting at this time. The money that was spent could have been better spent in other locations and I am also concerned that the State actually has a provision that says we cannot have online voting. It is section 19217 of the California Election Code which says quote "no

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voting system or part of a voting system shall be connected to the internet at any time." Clearly, our online experience was not good and seems to be at variance with what is allowed by the State of California. I recommend that we put a total hold on this and not proceed until a lot more investigation is done into the cost-benefit relationship of this. It cost a <u>lot</u> of money, money that was not well spent, that did not accomplish the objectives intended. Thank you for your time.

Robert Newman: Good evening, Robert Newman, Vice President of Administration for the Downtown Los Angeles Neighborhood Council. I got elected to my third term with a broad base of stakeholders by online voting, vote by mail, and so I support online voting If it works properly and its funded properly and if its going to be something we can use as a tool not only prior to the polling place but at various pop-ups as well. Also vote by mail. And that leads me into, with regard to what is happening to the subdivision election coming up in April. I am very, very concerned about what is transpiring here with a single polling place, a single polling place within the Skid Row area. The fact that there is no other means for people to vote. And very very concerned about the outreach. And numerous, numerous things. It is very important in the election that all the tools are in place for a broad base of Stakeholders to decide as to whether subdivision is going forward.

Rosalee Preston: Hi, I'm Rosalee Preston of the Harbor Gateway North Neighborhood Council. We filed a CIS on this issue. We were one of the 30-some NCs that choose to try out the online voting and as stated in the letter we submitted we had a number of issues, similar to the online voting. And, actually, at the polling place, somehow the City Clerk's data place eliminated voters from voting in their correct districts. One of our big issues is that if you are going to have to have online voting you need to have paper verification. Just has been mentioned throughout the country, unless you can double-check the results, there is a big risk of people being able to hack into the system. Some councils, where there is a controversial issue, an element of the community that wanted to take over the board could be motivated to

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hack into the voting system so a paper verification is important to any future system. Again, we felt the system as it was designed in the past election was not ready and had a lot of problems.

Jeff Page: Good Evening, my name is General Jeff, and I am Chair of the Skid Row Neighborhood Council Formation Committee. To put it bluntly, we are opposed to online voting, specifically for our Subdivision Election, which will be happening in 30 days on April 6th. By the time this comes out of this committee, the earliest, Council will have less than two weeks to implement something. It will be impossible for our community to do proper outreach with regards to online voting. There are a lot of issues and concerns...over \$340,000 to implement a flawed system...and it is already well-documented that it is flawed. This is the most important vote in the history of the Skid Row community and we cannot be subjected to such a flawed system that will determine our future. With that, we oppose and hope DONE will be able to get things in line for 2018 online.

Ann Jo: I am Ann from the Sylmar Neighborhood Council. We have not taken a position this so I speak for myself. I do believe that online voting is something that we need to do, but it needs to be done well. We were the first NC to have online voting a year ago. It was not without its flaws but things that are just starting are often flawed and I would hate to see this thrown out. There is work to be done. We want voting to be easy...people to have as many options as possible and given what happened yesterday and the horrible turnout, whatever we can do to get more people involved will be for the good.

Katherine McNenny: Why paper ballots are the right choice for the Skid Row Neighborhood

Council Election. As listed in our Skid Row Population document which was included in our

Official Subdivision Application to DONE, the vast majority of Skid Row residents,

approximately 12,000, are very low income. This means that they do not have easy access to a

computer. Even the majority that are housed in the community utilize free Obama phones. I

mention these Obama phones because it is important to understand that these are not smart phones, but flip phones. Uploading pictures of documents on an Obama phone is all but impossible. Most of the low-income residents in Skid Row must travel outside of the neighborhood to gain access to a computer. Many use the library. Within Skid Row there are very limited access points to a computer. Of the few that are available to the public, there are several barriers to use such as limited times, requirements for being enrolled in a specific program, even gender. For these reasons and more, online voting is not the appropriate way for the Skid Row community to vote in this critical, upcoming, Subdivision Election. I would respectfully remind everyone that this is our application and our community has unique challenges.

Mr.Huizar – Do we have, uh, DONE here? DONE representatives? We don't have DONE representatives. I have a number of questions to ask about this. Um, whether, um, what happened in DTLA and the online voting system were there any issues, um, I understand that we put this, uh, we suspended online voting because of some issues that arose in Studio City, uh, but the indications I received were that in DTLA the last time around it worked well. Um, but I wanted to ask if in fact that is the case, whether or not we should proceed with online voting in DTLA. But I don't have people from DONE here to answer those questions. So, Chair, council present, I would ask that we probably continue this item, if we could, until we get back some staff members from DONE.

Mr. Wesson: So we will close the public hearing, and this item will be continued and we will let you know as soon as we know when we will re-agendize this item. Thank you all for coming.

From: Rena Leddy

To: Ronny Bensimon ; Bradley A. Luster ; Jim Mellano ; Mark Chatoff (mark@californiaflowermall.com); John Van

Den Akker; Scott Yamabe; "Darrin Olson"; "Dean Nucich"; Adrian Szabo; Joshua Foley (JFoley@essex.com)

Subject: Your property & Skid Row Neighborhood Council

Date: Monday, March 20, 2017 12:24:00 PM

Attachments: Letter to DONE31717.pdf

Dear Fashion District Stakeholder,

A group of stakeholders in Skid Row is trying to create a Neighborhood Council which would splinter from the Downtown Neighborhood Council (DLANC). There will be an election April 6th. The boundaries are 3rd to 7th and Main to Alameda. (It is unclear if it is both sides of Main and 7th.)

Attached is a letter sent by attorney Rocky Delgadillo on behalf of property owners in the proposed new neighborhood council who are petitioning that the City postpone the election, now scheduled for April 6. These owners have formed an entity that engaged Rocky for this effort. The group is called United Downtown LA LLC. This proposal to create a new, separate neighborhood council between Main/Alameda/3rd/7th was approved by the City and will have an election on April 6 unless the group is successful in obtaining a postponement. Rocky has documented the many deficiencies in the application. There was absolutely no outreach to the businesses and property owners who would be affected.

The Department of Neighborhood Empowerment is the City department that oversees neighborhood councils. **Rocky will attend a meeting today at 1 p.m. and will testify**. I will be there also.

Additionally, there will be another meeting on Wednesday that I will forward you that information. I encourage you to call Councilmember Huizar.

Please call me if you need additional information. I can be reached on my cell phone if I'm not in the office.

Rena Masten Leddy, Executive Director LA Fashion District 110 E 9th Street Suite A 1175 Los Angeles, CA 90079

tel: 213-488-1153 x 712

fax: 213-488-5159 cell: 310-600-3247 www.fashiondistrict.org Subject: [SPAM]Fw: Pop Up Polls

Date: Tuesday, January 30, 2018 at 6:30:01 PM Pacific Standard Time

From: General Jeff

To: Christine Challoner
CC: Katherine Mcnenny

January 30, 2018

Ms. Challoner,

Below is more correspondence from DONE regarding pop-up polls IN Skid Row.

Notice how many of the original correspondence was sent on March 24, 2017.

General Jeff 323.445.0723 (cell)

Visit our Skid Row Neighborhood Council- Formation Committee website

https://skidrowneighborhoodcouncil.com

#SkidRowStillHere #SkidRowStillHere

Twitter: @GoSkidRowGo

Instagram: @SkidRowGeneralJeff

Skid Row community activist-ISSUES AND SOLUTIONS (2007-present)

Former LA County-Appointed Official
Consumer Representative on the
inaugural LA County Health Agency Integration Advisory BoardSelected by Mental Health Commission
(2015-2017)
Chair- LA County Health Agency IAB Subcommittee on Homelessness
(2015-2017)

Former Co-Chair- Skid Row Community Advisory Board for the Department of Mental Health (2012-2017)

Chair- "Skid Row Public Space Task Force" (2012-present)

Chair- Skid Row Neighborhood Council- Formation Committee (2014-present)

Former LA City-Elected Official (3 Two-Year Terms)
Resident Director- Central City East/Skid Row
Board of Directors
Downtown Los Angeles Neighborhood Council
(2008-2014)
Former VP, Outreach and Communications- DLANC
(2011-2012)

Former State-Appointed Official California State Department of Public Health- Office of Health Equityinaugural Advisory Committee Member (2013-2015)

On Friday, March 24, 2017 12:48 PM, Mike Fong <mike.fong@lacity.org> wrote:

Hi General Jeff,

Hope you are doing well.

The Department would like to have pop-up polls on the following dates/times in Skid Row:

March 29 from 2 pm - 5 pm (Would it be possible to use LA CAN for the pop up poll on the 29th?) April 3 from 11 am - 2 pm

Please advise to possible location(s) as soon as possible.

Thanks!

Best.

Mike

Subject: [SPAM]Fw: SRNC Formation

Date: Tuesday, January 30, 2018 at 6:36:25 PM Pacific Standard Time

From: General Jeff

To: Christine Challoner
CC: Katherine Mcnenny

January 30, 2018

Ms. Challoner,

The below e-mail correspondence was the first time I was notified that a pop-up poll in Skid Row would be official...Again, I had NOTHING to do with coordinating any pop-up polls for our Subdivision election.

General Jeff 323.445.0723 (cell)

Visit our Skid Row Neighborhood Council- Formation Committee website

https://skidrowneighborhoodcouncil.com

#SkidRowStillHere #SkidRowStillHere

Twitter: @GoSkidRowGo

Instagram: @SkidRowGeneralJeff

Skid Row community activist-ISSUES AND SOLUTIONS (2007-present)

Former LA County-Appointed Official
Consumer Representative on the
inaugural LA County Health Agency Integration Advisory BoardSelected by Mental Health Commission
(2015-2017)
Chair- LA County Health Agency IAB Subcommittee on Homelessness
(2015-2017)

Former Co-Chair- Skid Row Community Advisory Board for the Department of Mental Health (2012-2017)

Chair- "Skid Row Public Space Task Force" (2012-present)

Chair- Skid Row Neighborhood Council- Formation Committee (2014-present)

Former LA City-Elected Official (3 Two-Year Terms)
Resident Director- Central City East/Skid Row
Board of Directors
Downtown Los Angeles Neighborhood Council
(2008-2014)
Former VP, Outreach and Communications- DLANC
(2011-2012)

Former State-Appointed Official California State Department of Public Health- Office of Health Equityinaugural Advisory Committee Member (2013-2015)

On Wednesday, March 29, 2017 11:12 AM, Mike Fong <mike.fong@lacity.org> wrote:

Hi Mr. General Jeff,

Hope you are doing well.

We look forward to seeing you at tonight. Set up will be at 5 pm with the community town hall at 6 pm tonight.

There will be a pop-up poll available from 6 pm from 8 pm.

http://empowerla.org/elections/srnc17/

Thanks!

Best,

Mike



Skid Row Neighborhood Council Up Poll time for April 5

5 messages

elections@empowerla.org <elections@empowerla.org>
To: elections@empowerla.org

Greetings,

Please share the information below with your stakeholders regarding the Skid Row Neighborhood Supplies Election. There is a time change for a Pop-Up Poll Wednesday April 5th at the Medallion Apartments time is 4-7 pm, per the request of Medallion residents), and that updated time is given in the polling place is appears below. Also included is a complete overview of how and where to vote in this election.

Best regards,

Ann-Marie Holman Communications 2017 Neighborhood Council Subdivision Elections

PLEASE NOTE

The time of the Pop-Up Poll on Wednesday, April 5th at the Medallion Apartments has been changed, per request of the Medallion residents. The new time is 4 - 7 pm.

There are two more days left to vote in the Skid Row Neighborhood Council Formation Election, happening now through this Thursday, April 6th. There are multiple opportunities to vote between now and April 6th; a complete polling times and locations appears below.

If you are a stakeholder of the Historic Cultural Neighborhood Council (HCNC); the Downtown LA Neighborhood Council (DLANC), you may vote in this election, so long as you provide the documentation required to prove you eligibility (see details below), and are over the minimum voting age of 15 (in HCNC) or 16 (in DLANC).

The results of this election will determine whether a new Skid Row Neighborhood Council will be formed. If this proposal passes, a second election will then be held to elect the board members of that newly formed council.

Check out the information below on where to vote, and what you need to bring to the polls, in order to prove you eligibility. Polling places are available every day across the Downtown LA area, up to and including the official Education Day, April 6th.

ID & DOCUMENTATION REQUIRED TO VOTE

In order to vote in this election, you must provide documents that prove who you are, and which show you are a stakeholder of either HCNC or DLANC. A stakeholder is defined as someone who lives; works or property; owns a business; or has a "community interest" within a Neighborhood Council's boundaries. "Comminterest" stakeholders have a substantial, ongoing participation within the boundaries of a Neighborhood Council as going to school, or belonging to a service or religious organization there.

Whatever photo ID you provide must show a picture of you and have your name on it. Examples of accepted types include a driver's license, school or work ID, or a membership card with your image on it, such as a good Costco card. If your photo ID already shows an address within the DLANC or HCNC boundaries, that is need.

However, if an HCNC or DLANC address is not already on your photo ID, then you must also provide a secondocument showing an address that lies within the DLANC or HCNC boundaries where you live, work, own ongoing, substantial community participation. That document may be anything from a piece of current mail and address on it, to a utility bill. Also acceptable is having your name on a membership roster provided

https://mail.google.com/mail/u/0/?ui=2&ik=c919cab26c&jsver=ZOgYGgvFjfY.en.&view=pt&as_has=election%20rosters&as_sizeoperator=s_as_has=election%20rosters&as_sizeoperator=s_as_has=election%20rosters&as_sizeoperator=s_as_has=election%20rosters&as_sizeoperator=s_as_has=election%20rosters&as_sizeoperator=s_as_has=election%20rosters&as_sizeoperator=s_as_has=election%20rosters&as_sizeoperator=s_as_has=election%20rosters&as_sizeoperator=s_as_has=election%20rosters&as_sizeoperator=s_as_has=election%20rosters&as_sizeoperator=s_as_has=election%20rosters&as_sizeoperator=s_as_has=election%20rosters&as_sizeoperator=s_as_has=election%20rosters&as_sizeoperator=s_as_has=election%20rosters&as_sizeoperator=s_as_has=election%20rosters&as_sizeoperator=s_as_has=election%20rosters&as_sizeoperator=s_as_has=election%20rosters&as_sizeoperator=s_as_has=election%20rosters&as_has=election%20r





Neighborhood Council 2016 ELECTION MANUAL

Revised April 29, 2016

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Introduction

The Department of Neighborhood Empowerment (EmpowerLA) and the Office of the City Clerk (City Clerk) are pleased to work with the Neighborhood Councils on your elections in 2016. We have developed this manual to help guide candidates and voters through the election process. While some of the policies in this manual also apply to the Selection process (an alternative to elections), the majority of the information will focus on the election process and procedures.

Many thanks to those Neighborhood Council leaders who have provided critical election feedback that we have incorporated into this manual; who have volunteered to help coordinate regional outreach; who are acting as Independent Election Administrators to guide their fellow Neighborhood Councils through the election process; and who volunteer at the polls and step forward regularly to ask us how they can help make these elections successful. We appreciate your enthusiasm and leadership and are inspired by this partnership with you.

Lastly, we want to acknowledge the hard work of our City partners that make our participation in the Neighborhood Council elections possible: Mayor's Office, City Council, Chief Administrative Officer, Chief Legislative Analyst, Office of the Controller, and the Office of the City Attorney, who have made their election documents and staff available to us during our election preparation.

Please do not hesitate to contact us if you have any questions about the information in this manual. Thank you for your time and efforts in supporting your communities and the Neighborhood Council system!

Department of Neighborhood Empowerment

Main Office

City Hall 200 North Spring Street, 20th FL

Los Angeles, CA 90012 Main Line: (213) 978-1551

Fax: (213) 978-1751

Email: NCSupport@LACity.org

www.EmpowerLA.org **Valley Office**

Van Nuys City Hall 14410 Sylvan Street, 4th FL Van Nuys, CA 91401

Elections Hotline: (818) 293-VOTE (8683)

Email: elections@empowerla.org

Office of the City Clerk

Election Office

Office of the City Clerk Elections Division Piper Technical Center

555 Ramirez Street, Space 300

Los Angeles, CA 90012

Clerk.LACity.org/elections

Main line: (213) 978-0444 Fax: (213) 978-0376

TTY: 311 for City of LA Residents or

(213) 482-2121

Email: clerk.electionsnc@lacity.org

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Definition of Terms

2016 Election Procedures Manual - This document provides Citywide rules of operation for the Neighborhood Council Election.

2016 Election Procedures Stipulation Worksheet - This document reflects the choices the Neighborhood Council makes relative to their Election Day, time and location.

Board Affirmation - If a Neighborhood Council fails to register enough candidates to have a competitive race, the election will be cancelled, and the candidates seated by affirmation. If there are not enough candidates to meet a quorum of the board, the Department will use the Board of Neighborhood Commissioners Loss of Quorum policy to seat a new board.

Board Election - Type of election that utilizes a secret ballot for voting. These elections will be run according to the policies and procedures set forth in this manual. In addition, the Neighborhood Council must follow the regional election timeline.

Board Slates - A group of candidates that agree to campaign together, typically on shared materials and with a shared message. All members of a slate must agree to be on the slate in writing.

Board Selection - Type of election that does not require a secret ballot to select Neighborhood Council Board Members. A Board Selection is an open vote, such as a show of hands.

Candidate - A person running for an elected board seat.

Candidate Seat Designation - The seat a candidate identifies that he or she is running for.

Candidate Filing - The formal process by which a stakeholder files to seek for an open seat in a Neighborhood Council.

Canvass - The process of collecting votes and providing the tally of results.

City Clerk - The Office of the City Clerk.

Department - Department of Neighborhood Empowerment.

Election Time - The hours of operation of the polls on Election Day.

Election Timeline - Timeline that lists key election dates and deadlines for the Neighborhood Council elections.

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EmpowerLA - Department of Neighborhood Empowerment.

EmpowerLA's Neighborhood Council Election Acceptable Forms of Documentation - This document is available at EmpowerLA.org/Elections and illustrates the many types of acceptable documentation for candidates and voters.

IEA - Independent Election Administrator - An individual on contract with the City of Los Angeles assisting Neighborhood Councils with running the elections.

NC - Neighborhood Council.

Open Seat - A position on a Neighborhood Council that is open for election this term.

Region - A group of six to ten Neighborhood Councils in close proximity that will hold their elections on the same day.

Stakeholder - Anyone who lives, works or owns real property in the neighborhood and also those who declare a stake in the neighborhood as a community interest stakeholder, defined as a person who affirms a substantial and ongoing participation within the Neighborhood Council's boundaries and who may be in a community organization such as, but not limited to, educational, non-profit and/or religious organizations.

Tally - The process of counting votes.

Election Process

I. Overview

EmpowerLA and the City Clerk will be conducting elections regionally starting on or about December 19, 2015 and ending on or about June 30, 2016. Each region is comprised of six to ten Neighborhood Councils who will hold their elections on the same day, but at different times and locations within their boundaries. An Independent Election Administrator (IEA) will be assigned to work with the Neighborhood Councils in each region. The IEA assists the Neighborhood Council with education about the elections, outreach (both regionally and individually), paperwork (making sure all necessary election paperwork is completed in time and reviewing all submitted documents from candidates and voters), and monitoring the polls on the day of the election with assistance from Department poll workers and Neighborhood Council volunteers.

CHANGES FROM PRIOR ELECTION CYCLES:

- <u>Regional Election Meetings</u> EmpowerLA will hold regional election meetings to disseminate election information so that Neighborhood Councils in the same region can have an opportunity to get to know each other and leverage resources for outreach.
- <u>Timeline</u> the timeline for elections has been changed to reflect an earlier filing period for candidates. Candidate filing will be open 105 days prior to the election and close 60 days prior to the election.
- <u>Election Procedures</u> EmpowerLA, the City Clerk and the Neighborhood Councils will use the Election Procedures in this manual for procedures that apply citywide. Neighborhood Councils will only need to approve a 2016 Election Procedures Stipulation Worksheet with the changes for the 2016 elections, such as Election Day, time and location. (Attachment A)
- Election <u>Time</u> For poll voting, the polls will be open for a four (4) hour window with the
 ability to extend to six (6) hours by request. For electronic and telephone voting, voter
 registration will be open until 7 days before any election. Online and telephonic voting will be
 open for a period of 21 days prior to the election day and will conclude at the close of the polls
 on election day.
- Online Candidate Filing Eligible individuals running for an NC seat will file for candidacy online on the EmpowerLA website for both at poll and online elections.
- Online and Telephonic Voting will be piloted on up to 35 Neighborhood Councils that have already been selected.
- Online Voter Registration Voters for the Neighborhood Councils conducting online and telephonic voting will have the ability to pre-register online to vote.

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- Online Voting Tabulation will be conducted in accordance with the process established by the EmpowerLA, the City Clerk, and the Online Voting Vendor and the results will be posted at the polling location, online at EmpowerLA.org, and on the Neighborhood Council's website.
- Vote-By-Mail Vote-By-Mail is available with an initial set up fee of \$5000 for 500 ballots because of the extra staffing the City Clerk will bring on to administer a particular Neighborhood Council's Vote-By-Mail, which includes developing an online Vote-By-Mail application portal, receiving Vote-By-Mail applications via the online application portal, reviewing Vote-By-Mail ballot applications, fulfilling requests for ballots, verifying any application information as necessary and processing the final count. The deadline for NCs to decide to include a Vote-By-Mail option in their elections is October 30, 2015.
- <u>Defaults</u> EmpowerLA will set defaults for necessary election information, such as the election day, time, location, etc. if the Neighborhood Council does not provide the information by the set deadlines.

II. Election or Selection

The City Charter allows for Neighborhood Councils to elect or select their board members.

The <u>Board Election Process</u> demands a secret ballot for the voters and will be run according to the policies and procedures set forth in this manual. In addition, the Neighborhood Council must follow the regional election timeline. Most voters are familiar with this model.

The <u>Board Selection Process</u> does not have a secret ballot and is usually conducted in a town hall style setting where board members are selected by a public vote such as showing of voter hands or a printed ballot where the ballot is signed by the voter in public. EmpowerLA has provided a Selection Procedures Stipulation Worksheet to assist Neighborhood Councils with a selection process.

If a Neighborhood Council wants one year terms for board members or wants more flexibility as to the day they want to hold a vote for the new board members, then they should use a Selection Process. Elections are only held during the even-numbered years so board terms have to be two or four years. The Department's timeline for elections does not allow for as much flexibility for date selection since all of the Neighborhood Councils in a region must have their election on the same day. If a Neighborhood Council wants a different date than the election day chosen by the region, then they will need to go to a Selection Process.

III. Election Timeline

To provide you with an overview of the election process, we have divided it into eight phases:

PHASE 1 - Getting Ready

Timeline – September 1, 2015 to E-105

EmpowerLA has already set up the Regions, and the Neighborhood Councils must select their election day no later than October 9, 2015. If an election committee is not already in place and working, the Neighborhood Council boards should immediately appoint a minimum three person Election Committee (including a Chair) to work with the IEA and the Department. The Neighborhood Council board should also have an Outreach Committee to focus on outreach for candidates, outreach for voters, and coordination with the regional Neighborhood Councils. These committees can be combined since their efforts and work will complement each other.

To Do:	☐ Meet with the Neighborhood Councils in your region to discuss outreach
	□ Set a goal to recruit a minimum of three candidates per open board seat
	Tell your stakeholders that you are having an election!
	☐ Start recruiting candidates as early as possible!
	□ Start advertising your candidate forum(s)

2016 Election Procedures Stipulation Worksheet

Each Neighborhood Council board conducting an election should complete the 2016 Election Procedures Stipulation Worksheet designating day, time and location for polling locations. The Elections Committee should make recommendations to the board which will then make the decisions and submit the Stipulation Worksheet to EmpowerLA.

Outreach Planning

Neighborhood Councils are asked to provide an outreach plan that shows how they will reach their stakeholders during the candidate recruiting and voter notification phases of the elections.

Please use the Outreach Plan form provided by the EmpowerLA in conjunction with the Election Procedures Stipulation Worksheet for ideas on how to conduct outreach regionally and locally. In addition, your Neighborhood Council may also want to include:

- <u>Candidate Information Sessions</u> The Neighborhood Council may want to hold Candidate
 Information Sessions regionally on its own to attract candidates to run for board seats. The
 Department also offers the EmpowerLA Leadership Academy workshops, which provide
 training for candidates.
- <u>Candidate</u> <u>Statements</u> Neighborhood Councils can link to the EmpowerLA page with candidate statements and photos. They can also copy candidate statements from the EmpowerLA website and publish them in emails, newsletters or any outlet available to the

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Neighborhood Councils.

- <u>Candidate</u> <u>Forums</u> Each Neighborhood Council may present any number of Candidate
 Forums or arrange for forums sponsored by other organizations, such as a Chamber of
 Commerce or other regional Neighborhood Council organizations. Each forum, however, must
 ensure that each and every certified candidate is provided equal time and exposure.
- Perform outreach for your election to encourage voter participation.

The Department sends out a weekly e-newsletter that will keep everyone updated on the elections and other issues affecting the Neighborhood Council system.

Phase 2 - Election Timeline Starts Timeline – 105 days from Election Day

One hundred and five days from the Election Day, the official timeline of the elections begin with the opening of candidate filing. Candidate filing is open for 45 days and will close 60 (sixty) days prior to each NC election. All potential candidates will file for candidacy online on the EmpowerLA website. All candidates will need to upload documentation to prove that they are eligible to run for the seat for which they are filing. Candidate statements and pictures may also be uploaded. The EmpowerLA website will list each candidate as "pending" until the documentation information has been verified by the City Clerk. Once the information has been verified, the City Clerk will change the status of the candidate to "certified" and the name will be placed on the ballot.

To Do:	□ Start recruiting candidates if you haven't already!
	□ Hold Candidate Information Sessions
	□ Keep telling your stakeholders that you are having an election

Phase 3 – Election Commitment Timeline – 60 from election day

All candidate filing forms must be submitted no later than sixty (60) days prior to election day. Candidates who have filed by this deadline will have three business days to submit any additional information to establish their stakeholder status for the position they are running for. The candidate review period ends fifty (50) days prior to the election day. Forty-six (46) days prior to the election day will be the deadline for candidates to withdraw their candidacy and have their names removed from the ballot. Withdrawals after forty-six days will be processed by the NC after Election Day. Forty-five (45) days prior to the Election, the City Clerk will release the final certified candidate list. If there are no contested seats, i.e. only one (1) candidate for each open seat, the Department will hold a Board Affirmation town hall at the next regular meeting of the Neighborhood Council to seat the new board. If there are not enough candidates to meet a quorum of the board, the Department will use the Board of Neighborhood Commissioners Loss of Quorum policy to seat a new board.

If the Neighborhood Council's open board seats have multiple candidates, then it's time to engage voters to come out to the election and vote!

To Do:	 Announce the candidates for the election
	□ Hold Candidate Forums
	□ Recruit volunteers to assist on the day of the election
	□ Develop an exit poll or survey for your stakeholders on election day
	☐ Keep telling your stakeholders that you are having an election!

Recruiting Election Volunteers

EmpowerLA will provide a Poll Manager and Assistant Poll Manager on the day of the election. They will be supervised by the Independent Election Administrator (IEA). We encourage Neighborhood Councils to provide volunteers for their elections. The volunteers can be non-candidate board or committee members and stakeholders. Because all the elections are occurring on the same day in the region, board and committee members are encouraged to work on a neighboring council's elections in the region. EmpowerLA will provide a short training for all volunteers on how to conduct a successful election.

Ballots

All Neighborhood Council Regions will have an opportunity to vote at a polling site. Additionally, up to 35 Neighborhood Councils will have the ability to participate in online and/or telephonic voting prior to election day.

For at poll voting, the City Clerk will prepare stakeholder registration forms, ballots, poll worker and volunteer name tags and instructions. The City Clerk will assemble the Election Kit with supplies for the poll thirty days prior to the at poll election.

Online Voting

Neighborhood Councils that have chosen Online Voting will begin registering voters before the Candidate Registration process begins. The Department will engage the Election Committees and the Outreach Committees so that they can work together to promote the election, engage and register voters, and stir enthusiasm in the community.

Neighborhood Councils with Online Voting will still have an Election Day polling location for those that would prefer to vote in person. Voters will register (if they haven't already registered), and they will vote using an online portal. Their vote will be tabulated in the same process as the online ballots.

The Online Voter Registration period will begin in mid-November and close 7 days prior to each election. Online and telephonic voting will be open for a period of 21 days before the Election Day. The deadline for Stakeholders to submit documentation is 7 days prior to Election Day. After that, they must register or complete their registration at the Election Day Polling location.

In order to maintain the integrity of the online voting process, Neighborhood Councils who verify voters with self affirmation must still require voters to provide photo identification to establish their identity both online and in person at the Election Day Polling location. Neighborhood Council who verify with documentation still need to provide such documentation online or in person at the Election Day Polling location.

Neighborhood Council Exit Polls or Surveys

Your Neighborhood Council can develop an exit poll or survey for the voters on the Election Day

to obtain information on how successful your outreach campaign was, what issues are important to them, etc. The survey cannot ask how the voters voted. The Neighborhood Council can set up a table within 100 feet of the polling place near the exit so long as the table does not block the flow of traffic. Any other organization or stakeholder with exit polls or survey must stay 100 feet outside of the polling place.

Phase 4 - Election Day

Timeline - Election Day

The Poll Manager will arrive on Election Day with an Election Kit, including a ballot box with lock, ballots, stakeholder registration forms, pens, paper, observer badges, volunteer badges, polling place signage, voting instructions, voting booths, ballots, colored paper for printing additional ballots, volunteer instructions, tally sheets, and report forms.

Poll Managers for Online Voting elections will bring an additional kit with items specific to the digital portion of the election.

The Poll Manager and poll workers will arrive to the polling place at least one hour before the polls open to set up the space. The IEA and Poll Manager will provide a layout for the polling place for easy access and flow for the voting process, including areas for:

- Registration
- Ballot Pick-Up
- Voting Booths
- Digital Voting Station (tablets, laptops or desktops)
- Ballot Box
- Information Kiosk
- Special needs voter accessibility

The Poll Manager will announce the opening and closing of the polls. At the close of the polls, after all ballots have been placed in the locked ballot box, the Poll Manager will take possession of the ballot box while volunteers set up the room for counting. If time and the number of ballots do not permit for counting at the polling place, the Poll Manager will take the ballot box back to the EmpowerLA office for counting with notice to the public as to when the tally will take place.

Poll Managers at Online Election polling locations will close the polls and secure the digital election equipment according to the process established by the Department, the City Clerk, and the Online Voting Vendor.

To Do: □ Come out and vote!

□ Volunteer to help at a Neighborhood Council Polling Place

Phase 5 - Vote Tally - Counting

Timeline – Election Day

When it is time to count the ballots, the Poll Manager will instruct and oversee the counting volunteers in the following steps:

- 1. The ballot box will be unlocked, and the ballots sorted according to color of ballot.
- 2. The stakeholder registration forms will be counted and quantities will be noted.
- 3. The total number of ballots will be counted and noted.
- 4. The Poll Manager will divide the ballots into manageable amounts for counting, usually no more than 100 ballots.
- 5. Volunteers will be divided into pairs (a caller and a marker). They are given pre-printed counting sheets: one volunteer calls the name of the person receiving a vote and the other marks down the vote on a tally sheet.

Online Voting results will be tabulated by the Online Voting Vendor in accordance with the process that is agreed upon by the Department, the City Clerk, and the Vendor. The results will be printed from the Online Voting system, once the polling place has closed. The tabulated results will then be posted outside the polling place in clear view for stakeholders.

To Do:

Train volunteers to perform the tally process responsibilities

Notify with access of chearyer policy

Notify witnesses of observer policy

☐ Post the results of the tally process

Clean polling places and thank staff for their participation

The more volunteers available to help count, the faster the counting goes! Observers will be allowed in to watch the counting process so long as they do not interfere in the count.

After the count is over, the Poll Manager will package all election materials, including ballots and registration forms and return them to the IEA, who will also review the election materials. EmpowerLA will arrange the delivery of the election materials to the City Clerk on the next business day.

Within 24 hours, the IEA will post an unofficial bulletin announcing the tally of votes on the EmpowerLA website for public review and will also send the results to the Neighborhood Council. If there are provisional ballots, the deadline for submission of acceptable documentation is three (3) calendar days after the election. The IEA will verify or disqualify the provisional ballots and revise the tally of votes.

A Final Official Certified Canvass of Votes will be issued once there are no outstanding ballots to be verified. EmpowerLA will retain ballots, provisional ballots, stakeholder registration forms and tally sheets until after the deadline for challenges if there are no challenges or after the conclusion of arbitration of all challenges.

Phase 6 – Recounts and Challenges Timeline - 3-5 days after the election day

Recounts may be requested within three calendar days by 5 pm after the election. Challenges to the election are accepted within the five calendar days by 5 pm after the election.

Phase 7 - Seat the Board

Timeline - 30-60 days after the election day

After all challenges are resolved, the newly-elected Board will be seated at the next regularly scheduled Neighborhood Council board meeting so they can start working for their community!

Phase 8 - Train the New Board

Timeline - 30-90 days after the election day

It is important that all the new Board members know the policies and procedures for the Neighborhood Council system so they can operate effectively for their community. The EmpowerLA Leadership Academy will offer board orientation trainings. In addition, board members are mandated to take the state required ethics training, which is offered online on our website and live with the Office of the City Attorney. Funding training is also required of all board members. Some Neighborhood Council bylaws mandate training, too, within a certain time period or the board member will lose voting rights so check with your Neighborhood Council. Unless picked up by the Neighborhood Council board, all election materials will be destroyed ninety (90) days after the last region's election.

Election Policies

The policies set forth in this section are to supplement the Election Procedures and any other legal authorities over Neighborhood Council elections and supersede any inconsistent language in Neighborhood Council bylaws. The Department may refer back to the 2014 Neighborhood Council Election Policies or add policies as necessary in its administration of the elections.

I. Term Extension

The Department shall extend the current board terms set to expire in 2016 until after the certification of the Neighborhood Council's election or Selection results or the resolution of all official challenges, whichever date is later. All Neighborhood Council elections and Selections must be completed in 2016.

| | Board Affirmation

If, after the candidate filing verification deadline, there is only one or no candidate for every open board seat, the Department will hold a Board Affirmation at the next regularly scheduled board meeting affirming and seating the candidates in lieu of an election.

Write-in Candidates

There are no write-in candidates for the 2016 election cycle.

IV. Shortened or Extended Election Time

The standard election window on Election Day is four (4) hours. Neighborhood Councils can

request a six (6) hour window instead at no additional cost. If three (3) or fewer seats have no more than one (1) candidate, then EmpowerLA may hold a shortened election time of two (2) hours for the Neighborhood Council.

V. Online and Telephonic Voting

Neighborhood Councils offering Online and Telephonic Voting will also have a traditional polling location on Election Day. They can register voters well in advance of the online voting window, and voters will be notified when the voting window is open and will be notified three days in advance of its close. Online Voters can also vote at the polling location on Election Day. Voters who register on Election Day and vote at the polls will still be voting on a digital platform. The results will be tabulated by the Online Vendor, and the results will be posted at the polling location and online at EmpowerLA.org/Elections. Neighborhood Councils should also have the results on their website if applicable.

VI. Location Fee

Neighborhood Councils will be responsible for paying for fees for the rental of their polling place. EmpowerLA will reimburse Neighborhood Councils a polling place location fee of up to \$200. Any charges above this amount, including security or custodial fees, will be the responsibility of the Neighborhood Council.

VII. Election Schedule Deadline Conflict

Where possible, the Neighborhood Council election schedules will all follow the same general timeline, i.e. candidate filing begins 105 days prior to the election. The Department offices will not be open on weekends or holidays. As such, the Neighborhood Council Election Procedures deadlines shall be adjusted when necessary. Where the planned deadline falls on a Saturday, Sunday, religious or national holiday, the actual deadline date will be moved to the following City of Los Angeles business day.

VIII. Running Board Slates

A group of candidates may run as a slate so long as all candidates provide written consent to agreeing to be on the slate.

IX. Candidate Filing Information is Public Information

Since candidates for Neighborhood Council board seats are vying for public seats, candidate filing forms, which can include a candidate's contact information and qualifying information, are considered public information and subject to disclosure. Please note that a candidate's signature on the Candidate Filing Form is not subject to disclosure and will be redacted prior to fulfilling a California Public Records Act request.

X. Board Affirmation

If a Neighborhood Council fails to register enough candidates to have a competitive race, i.e. there is only one (1) candidate for each of the open seats, the election is cancelled, and the candidates are seated by Board Affirmation. The candidates will be seated at the Neighborhood Council's next regular meeting after the Final List of Certified Candidates has been released by the City Clerk. The outgoing board shall prepare an agenda where the first agenda item shall be the Board Affirmation by EmpowerLA, and the second agenda item shall be the election of the board Executive Officers if applicable. The candidates for the open board seats will be seated at the meeting by EmpowerLA. If there is not a regular meeting within thirty (30) days after the final verified candidate list has been released, then the outgoing board or EmpowerLA will hold a special meeting within fifteen (15) days after the release of the list instead to affirm the board.

If there are not enough candidates to constitute a quorum of the Neighborhood Council board, then the Board Affirmation will also be cancelled, and the Department will apply the Board of Neighborhood Commissioners Loss of Quorum Policy to seat a new board.

XI. Board Outreach after Candidates Are Certified

Once the Final List of Certified Candidates has been issued by the City Clerk, if a Neighborhood Council releases a newsletter or conducts any outreach listing the names of any existing board members, who are also candidates, the outreach materials must include the same information for all candidates, i.e. the non-board member candidates.

XII. Inspection of Forms

Please note that Stakeholder Registration Forms and ballots will only be made available for inspection after the Final Official Certified Tally of Votes is completed in order to ensure critical documents are available for use by staff when needed, to avoid any interference with the election process, and to avoid the possibility of duplication and/or fraud. The processed ballots and non-exempt information on the stakeholder registration forms will be provided within a reasonable amount of time after the date of the election. These documents will be destroyed ninety (90) days after the final regional election.

XIII. Candidate Filing Extensions

An extension to the Candidate Filing Registration deadline of an election region will only be considered if it can be established that an error by EmpowerLA and/or City Clerk caused a delay that impeded the election region's ability to field sufficient qualified candidates and that there is an outreach plan for the election region that will increase the number of candidate filings during the extended time frame.

Election Procedures

I. Introduction

These election procedures meet the minimum requirements to conduct Neighborhood Council board member elections pursuant to City Council policy and other standardized election procedures that may be issued by the Department.

II. Elections

For those NC's voting exclusively at the polls, the election will be a **Prepared Ballot Election**. In this election, candidates shall file prior to Election Day and will then be included on a printed ballot that is distributed to the voters on Election Day. Alternatively, for Neighborhood Councils voting online, the prepared ballot will be available in an electronic format.

- Proxy voting will not be allowed for this election.
- Voters may cast their ballots on the day, time and location indicated in the Neighborhood Council's 2016 Election Procedures Stipulation Worksheet.
- If a voter with a disability is unable to access the Polling Place, curbside voting will be provided as an option for that individual. On Election Day, voters can request curbside voting by calling the Elections Division Hotline at (818) 293-VOTE (8683).

III. Location

- A. The Neighborhood Council can provide an election location in its Board approved 2016 Election Procedures Stipulation Worksheet.
- B. Election locations should meet the following criteria:
 - 1. Sufficient size to accommodate the voter sign-in process and actual voting activities.
 - 2. Sufficient parking for poll workers and voters.
 - 3. Convenient for those utilizing public transportation.
 - 4. Procedures must be in place to accommodate disabled voters and in compliance with the Americans with Disability Act (ADA).
 - 5. Unbiased location for stakeholders and candidates.
 - 6. Available for the Neighborhood Council Election Day for at least two hours before and after the election start and finish.
- C. The election location or polling place will be published on the Department website at least thirty (30) days prior to the election and any change of location will be posted within 24 hours of the change.

IV. Neighborhood Council Boundaries

The boundaries of the Neighborhood Council are set forth in its bylaws. Where a map of a Neighborhood Council does not match the language provided in that Neighborhood Council's bylaws, the IEA shall defer to the written bylaws for clarification and revise the map in accordance with specific language in a given Neighborhood Council's bylaws.

In the event specific language is not specified in a Neighborhood Council's bylaws regarding how bordering boundaries are defined for a Neighborhood Council or its internal districts/areas/quadrants/zones, the City Clerk and IEA shall consider the middle of the road as the defining border for election-related purposes, such as candidate qualification and stakeholder (voter) verification. This will only apply when a Neighborhood Council has not specifically identified boundaries to include both sides of the street (road, avenue, boulevard) or to include or exclude any specific landmarks, parks or plots of land.

Specific voting districts will be followed within the above boundary definitions and will apply to candidate qualifications and voter qualifications.

v. Definition of Stakeholder

Neighborhood Council membership is open to all stakeholders. "Stakeholders" shall be defined as those who live, work or own property in the neighborhood and also to those who declare a stake in the neighborhood as a community interest stakeholder, defined as a person who affirms a substantial and ongoing participation within the Neighborhood Council's boundaries and who may be in a community organization such as, but not limited to, educational, non-profit and/or religious organizations (Ordinance No. 182830).

- All person(s) or entities that meet the criteria for the definition of stakeholder shall be eligible to vote in the election, either at the polls, online, or by telephone (if applicable).
- Stakeholders cannot be denied the opportunity to vote for a candidate for member of the governing Board for whom they are eligible to vote.
- Stakeholders cannot be denied the opportunity to run for a Board seat for which they hold stakeholder status unless otherwise prohibited by the Neighborhood Council bylaws.
- In order to cast a ballot in the election, a stakeholder must be the age on the date of the election as stated in the Neighborhood Council's 2016 Election Procedures Stipulation Worksheet and bylaws.

VI. Independent Election Administrator (IEA)

EmpowerLA will assign an Independent Election Administrator (IEA) to administer the elections in each Election Region. To serve as an IEA, the person(s) selected must have attended a training program conducted by the Department. An IEA may utilize the staff, material, equipment and facility resources of the Neighborhood Council, the EmpowerLA or City Clerk to assist them in carrying out the election administration duties, provided, however, that the following conditions are met:

- None of the candidates for the governing Board may participate in any way in the handling/counting of ballots, voter/candidate registration/verification, and/or assisting voters engaged in the act of voting in translating/interpreting the voting material or explaining the voting process.
- An IEA must maintain the authority and responsibility for the administration of the election.
- An IEA, in coordination with the EmpowerLA and City Clerk, shall be responsible for the following duties:
 - Conducting the Neighborhood Council elections according to the Neighborhood Council bylaws, 2016 Election Procedures Addendum and any other applicable legal documents.
 - Processing candidates, including verification of eligibility, in coordination with, and

- under the direction of the City Clerk.
- Assisting the region with any Candidate Information Sessions.
- Processing voters, including pre-registration and verification of eligibility as applicable.
- IEA supervises poll managers distributing and receiving ballots from the voters on Election Day.
- IEA supervises poll managers in verifying any provisional ballots.
- IEA supervises the counting and recounting of the ballots.
- IEA supervises the issuing of the election results.

VII. Candidates

A. Candidate Filing

- Individuals interested in running for a Neighborhood Council board seat must file for their candidacy online on the EmpowerLA website (EmpowerLA.org/Elections) by the Candidate Filing Deadline which shall be no earlier than 105 days before Election Day and no later than 60 days prior to Election Day. All potential candidates will be notified via email by the City Clerk if their Candidate Filing Form is incomplete and the steps necessary to complete the candidate filing process.
- 2. All potential candidates must provide identification and any other applicable documentation to establish their stakeholder status for the position which they are applying to the IEA or by uploading the documents online. All candidates must provide all necessary documents within three days of the Candidate Filing deadline prior to 11:59 p.m. Faxed forms of identification will not be accepted.
- 3. Candidates may upload a Candidate Statement and photograph online no later than fifty-seven (57) days prior to Election Day.
- 4. Upon certification of a candidate, the City Clerk will dispose of all supporting electronic documentation submitted by each candidate for security purposes.
- 5. City Clerk will have a record of which type of documentation was used for candidate verification after the disposal of supporting documents, i.e. if a California drivers license (CDL) was used to establish their candidacy, the report will show "CA Driver License" used for verification.

B. Candidate Seat Designation

- 1. Candidates in Neighborhood Councils must indicate which Open Seat they are filing for in order to become a certified candidate.
- 2. Candidates may qualify for more than one Open Seat and it is the candidate's responsibility to select the seat for which they are running. Some Neighborhood Councils allow candidates to run for more than one seat. If specified in the bylaws, then candidates can run for more than one seat. If the bylaws are silent, the candidates are limited to filing for one seat.
- 3. The deadline for submission of supporting documents and Open Seat designations is 11:59 p.m. fifty-seven (57) days prior to Election Day.

4. If a certified candidate withdraws from their Open Seat designation, they must reapply to qualify for that or any other open seat by the close of the candidate filing deadline.

C. Candidate Statements and Photos

- Candidates are encouraged to submit statements and photos with when they file for candidacy. Candidate statements and photos are optional. The deadline for submission of photos and statements is 11:59 p.m. fifty-seven (57) days prior to Election Day.
- 2. Candidates may revise their statements and may resubmit their candidate photo any time prior to Candidate filing deadline of 11:59 p.m. fifty-seven (57) days prior to Election Day..
- 3. Candidate Statements must be submitted in writing online and may not exceed the 1,000 characters limit, including translation. Candidate statements are printed as submitted, with no editing. Additionally, a candidate may submit translated version(s) of the original statement, which must comply with all aforementioned criteria.
- 4. Candidate statements may not include any profanity or comments about other candidates.
- 5. Candidate statements may be submitted without an accompanying candidate photo, and candidate photos may be submitted without an accompanying candidate statement. Candidate photos must be submitted in a digital format in a file size of 2MB or less and with the dimensions of 200 pixels tall by 200 pixels wide.

D. Candidate Withdrawal

- 1. Candidates must withdraw forty-six (46) days prior to the election day in order to be removed from the ballot.
- 2. Candidates who wish to withdraw must do so using the Candidate Filing portal.
- 3. Once a candidate withdraws, the candidate's name, statement, and photos will be removed from the EmpowerLA website.
- 4. If a certified candidate withdraws from their Open Seat designation, they must reapply to qualify for that or any other open seat by the close of the candidate filing deadline. Candidates who wish to withdraw after the end of the withdrawal period must notify the NC of their request after Election Day.
- 5. Winning candidates who wish to withdraw after the canvass of votes must communicate with the respective Neighborhood Council and that action will result in a vacant seat, which will be filled by the Neighborhood Council in accordance with their bylaws. This is not a withdrawal handled by the City Clerk.
- E. Candidate Forums and Regional Candidate Information Sessions

- 1. Candidate Forums must be open to all candidates, and all candidates must get the same notice and notification of the event.
- 2. Candidate Forums must provide equal and even access to all candidates, including seating arrangements, speaking time, and opportunity to address topics.
- 3. Candidates who are unable to attend may submit a written statement, in advance, to the IEA, to be read during opening comments by the moderator and limited to the time specified for individual opening comments. They will not have the opportunity to address any other elements of the Forum, such as topics, issues, questions, and closing statement.
- 4. Candidates or audience members who want interpretation services must make their request to the organization hosting the Forum at least 72 hours in advance of the event.
- 5. Signing services for the deaf must also be requested 72 hours in advance, but this request must be submitted to EmpowerLA who will arrange with the Department of Disability for sign interpretation.
- 6. Interpretation services that take place simultaneously (headsets or signing) do not extend any time limits for the speaker.
- 7. Interpretation services that are staggered (speaker then interpreter) will require twice the time limit for speakers since it takes twice as long to make the same statement as other speakers.
- 8. Questions from the audience must be moderated or controlled so that all candidates get an even opportunity to speak and to address the issues.
- 9. The Neighborhood Council may present Regional Candidate Information Sessions to assist candidates in their campaigns.
- F. Release of Candidate Information to Neighborhood Councils Upon request, candidate contact information shall be given to the IEA and the Election and Outreach Chairs of each Neighborhood Council no later than forty-five (45) days before Election Day. In the absence of an Election Chair, the President of each Neighborhood Council shall be the designated alternate to receive the candidate contact information. Where email addresses are not available for either of the two persons, the IEA will provide the candidate contact information to the Neighborhood Council upon request. Neighborhood Councils shall notify all candidates for any Candidate Forums to be conducted where the Neighborhood Council is a participant. The notification of candidates to participate in such events shall be the sole responsibility of Neighborhood Councils. Please note that a candidate's contact information, including his or her home address, home phone number, and email address is subject to disclosure if a California Public Records Act request is made. A candidate's signature will not be subject to disclosure.

VIII. Candidate and Stakeholder Verification

For this election, EmpowerLA and the City Clerk will accept forms of identification for

self-affirmation and documentation as prescribed by EmpowerLA's Neighborhood Council Election Acceptable Forms of Documentation. However, PO box addresses and storage facilities will not be accepted as a form of verification document for candidate and voter registration.

IX. Campaigning

- A. The use of the City of Los Angeles Seal, the Department, City Clerk or Neighborhood Council logo or any other official Neighborhood Council designation created by the Department is prohibited for use on candidate materials.
 - A logo is a graphic mark and/or emblem used by the City, a City department, or a Neighborhood Council that serves to facilitate immediate public recognition. A logo can consist of purely graphic symbols or icons, but can also consist of a logotype or word mark.
 - 2. Any use of a logo, regardless of intent, will be considered a violation of this article and the Neighborhood Council Election Procedures unless the logo is used as part of outreach material produced by the City, a City department, or the Neighborhood Council for the sole purposes of promoting the election. If such outreach material contains candidate names, all qualified candidates must be listed on the material.
 - 3. The purpose of this provision is to prevent candidates or supporters of candidates from campaigning under the expressed or implied endorsement or authorization of the City, a City department, or a Neighborhood Council and prevent voter confusion. Please note that any logo that is substantially similar to a City, City department, or Neighborhood Council logo may lead to voter confusion and may be subject to a challenge.
- B. The governing Board of the Neighborhood Council, acting in their official capacity as the governing Board, is prohibited from endorsing or campaigning for any candidate or group of candidates running for the governing Board of the Neighborhood Council. This provision does not restrict the right of individual Board members, acting as individual stakeholders, or any other stakeholders, from endorsing or campaigning for any candidate or group of candidates.
- C. No City facilities, equipment, supplies or other City resources shall be used for campaigning activities except:
 - 1. to hold a Candidate Forum sponsored by a Neighborhood Council;
 - 2. to hold a Neighborhood Council election; or
 - 3. if the individual has obtained approval from an authorized representative of a City Department or Commission (if managing a Department) for use of the facility.
- D. City resources may be used by a Neighborhood Council for impartially communicating with voters through the printing and mailing of a voter information pamphlet, which includes candidate statements and/or the posting of candidate statements on its website. To the extent that the Neighborhood Council provides candidate statements to the voters or Neighborhood Council mailing lists to candidates, all candidates shall be given access in a timely and uniform manner.

X. Electioneering

No campaigning or electioneering activities will be allowed within 100 feet of the Polling Place, which is measured from the door of the Polling Place where voters sign the roster and cast their ballots. Polling Place staff must place signs indicating where the 100 foot mark is located.

Electioneering includes:

- soliciting a vote or speaking to a voter on the subject of marking his or her ballot;
- placing any sign relating to any candidate;
- distributing or wearing material relating to any candidate; or
- placing a sign, distributing material, or conversing with a voter on the subject of the voter's qualifications to vote.

In addition, excessive noise and audio equipment that creates a nuisance to voters or staff within the 100 foot mark will amount to a violation of this policy. Vehicles that have a banner or placard soliciting a vote or recommending any candidate shall remain 100 feet beyond the building where voters are voting, except for the discharge or loading of passengers. Activities beyond the 100 foot mark are subject to the rules of the particular property owner and should be respected.

Any person or persons engaged in electioneering will be directed by polling place staff to cease and may be asked to leave.

XI. Ballot

- A. Ballot Order: The Department will randomly draw the letters of the alphabet to create the order the candidates shall be listed on the ballot. The candidates will be listed in such order according to the first letter of their last name.
- B. The City Clerk will use the candidate's legal name for the ballot. No completely fictitious name may be used on a ballot to refer to a candidate. If a candidate wishes a different name to appear on the ballot, the following format must be followed:
 - 1. The format for including nickname on the ballots is: First Name "Nickname" Last Name (i.e., Jonathan "Chico" Anderson).
 - 2. A shortened version of a name or a variation of a name will be allowed in lieu of a candidate's legal name. For example, instead of Jonathan Anderson, the candidate may use the name "John Anderson," or "Johnny Anderson" or "J. Anderson."
 - 3. Professional Degrees: Professional Acronyms shall not be used on a ballot. No name shall include professional distinctions such as: PhD, MSW, Esq., Rev., etc.
 - 4. In order for a name to fit on the ballot, all names appearing on the ballot must be a maximum of 26 characters/letters, including spaces and punctuations. The online filing system will automatically limit the number of spaces available.
 - 5. Where there is a conflict between the names provided as documentation or on documents provided to the IEA, the name entered into Candidate Filing system's "Name Appearing on Ballot" field will override.

XII. Self Affirmation for Homeless Voters

In Neighborhood Councils requiring documentation to verify voters, homeless voters will be exempt from providing such documentation if they affirm that they are homeless and that they meet the voter requirements for the seat(s) for which they are voting.

Homeless Voters for Online Voting Registration

- Homeless voter with identification documentation and an email address can:
 - 1) Register online
 - 2) Indicate homeless status
 - 3) Receive pin by email
- Homeless voter with identification documentation and an mailing address can:
 - 1) Register Online
 - 2) Indicate Homeless Status
 - 3) Receive pin by mail
- Homeless voter with no identification documentation and an email address can:
 - 1) Register in person with an Independent Election Administrator (IEA)
 - 2) Indicate homeless status
 - 3) Receive their pin by email
- Homeless voter with no identification documentation and a mailing address can:
 - 1) Register in person with an Independent Election Administrator (IEA)
 - 2) Indicate homeless status
 - 3) Receive their pin by mail
- Homeless voter with no identification documentation, no email address or mailing address can:
 - 1) Register in person at the Polling Location on Election Day
 - 2) Vote in person at the Polling Location on Election Day

XIII. Polling Place Operations

Only poll workers and voters engaged in voting may be within the voting booth area during the time the polls are open.

A. Curbside Vote: If a voter with a disability is unable to access a polling place, a volunteer who is designated by the Department shall hand-carry a ballot and a Stakeholder Registration Form (if needed) to any physically challenged voter at the polling site for completion in the general area of the polling site. Once marked, the ballot shall be placed into an envelope, and then the envelope shall be sealed. The volunteer shall return the completed Stakeholder Registration Form to the poll workers for processing, and the sealed envelope containing the ballot shall be deposited into the ballot box.

- B. Observers: Prior to opening, all Observers must wait outside while the poll workers set up the Polling Place. Observers will be permitted to enter the Polling Place once the polling site officially opens for voting. All Observers must sign in with Staff. A badge will be issued and must be worn at all times. When leaving for the day/evening, the Observer must sign out and return the badge to the Poll Manager.
 - Observers may not interfere in the election or the voting process. Observers cannot assist in operations, touch or handle any ballots or other election-related materials.
 - Observers may not talk to or solicit voters in the Polling Place.
 - Observers are allowed to videotape Polling Place operations pursuant to Article XXI.
 Videotaping.
 - Candidates are not permitted as Observers at the Polling Place on Election Day.
 - Observers have the right to ask poll workers questions regarding election procedures
 and to receive answers or be directed to the appropriate official for responses to
 questions. If, however, persistent questioning disrupts the execution of their duties, the
 poll workers can stop responding and direct the observers to the Poll Manager for all
 further answers. If disruptions persist, the Observer may be asked to leave the polling
 place.
- C. Provisional Voting: A voter may cast a provisional ballot if the voter's eligibility to vote in the election cannot be determined in favor of the voter at the time the voter attempts to cast his or her ballot. The only acceptable basis for challenging a voter's right to vote at the Polling Place will be that the person is not a stakeholder as defined by the Neighborhood Council bylaws.
 - If a voter is challenged on the basis of insufficient documentation, the voter may produce any of the documentation outlined in these Election Procedures at which time the voter will be issued a regular ballot.

If a voter cannot produce the required documentation, then the voter will be offered the opportunity to vote a provisional ballot. The provisional ballot will be the same as regular ballot, except that prior to placement in the ballot box the provisional ballot will be placed inside a provisional envelope. On the outside of the envelope the voter will provide:

- 1. The voter's name.
- 2. The voter's address.
- 3. The voter's stakeholder status.
- 4. The voter's contact number(s), e.g. mobile or other telephone number.
- 5. The voter's email address
- 6. When a voter casts a provisional ballot, the voter will be issued instructions that explain what steps the voter must take to qualify the provisional ballot, including documentation required to be submitted, where the documentation is to be submitted, and a contact number to request assistance or seek additional information. The deadline for submission of acceptable documentation shall be three (3) calendar days after the election. EmpowerLA and the City Clerk will be responsible for the verification of the provisional ballots.

XIV. Vote-By-Mail

For an additional fee, a Neighborhood Council may decide to offer Vote-by-Mail to its stakeholders, but only if they have selected self-affirmation as its method for establishing stakeholder status. If this is offered, all stakeholders are eligible to Vote-by-Mail.

Vote-by-Mail applications will be available when online stakeholder registration begins and shall include instructions describing how to complete the application. Vote-by-Mail applications may be submitted using an online Vote-By-Mail application portal available at www.EmpowerLA.org.

Vote-By-Mail ballots will begin to be mailed to voters thirty days prior to the region's Election Day. The deadline for submission of Vote-by-Mail applications is eight (8) days prior to the election day. The deadline to return Vote-By-Mail ballots is the last business day prior to Election Day. Vote-By-Mail ballots can also be delivered to the polling place on Election Day prior to the close of polls.

The City Clerk will oversee and approve the preparation and distribution of a Vote-by-Mail application, which contains spaces for the following information:

- The name and residence address, or business or organization affiliation address of the stakeholder.
- The name and address to which the ballot is to be mailed, if different than the residence or business or organization affiliation address.
- The stakeholder/voter's signature.
- The stakeholder status of the voter.
- Instructions relative to the completion of the online application.
- The name and date of the election for which the application is being submitted.
- The date on or before which the application must be received.

Candidates may distribute Vote-by-Mail applications, but shall not handle the return of the applications or the Vote-by-Mail ballots. No candidate, individual, or group may handle distribute, collect, complete, or submit completed or blank Vote-by-Mail applications on behalf of another person. Applications completed, collected, or submitted on behalf of another person will not be accepted. Vote-by-Mail applications may, however, be requested on behalf of a family member or domestic partner who live within the same household.

The City Clerk will maintain lists of all persons issued a Vote-by-Mail ballot, and all those returning a Vote-by-Mail ballot must be prepared and provided to the person(s) managing the polling site(s) for use in the voter sign-in process.

A voter will not be allowed to retrieve and destroy a previously submitted Vote-by-Mail ballot and then be issued and vote a regular election day ballot.

XV. Tabulation of Votes and Election Certification

For at-poll only elections, EmpowerLA will be responsible for tabulating the ballots and announcing the unofficial results on election day or as soon thereafter as possible. For electronic voting, Everyone Counts will tally online votes and provide the results to EmpowerLA at the close of the at-poll election. EmpowerLA will combine the online votes with at-poll votes and announce the unofficial results on election day or as soon thereafter as possible. The City Clerk will verify any provisional ballots for inclusion in the Final Official Certified Canvass if Votes.

The Final Official Certified Canvass of Votes shall occur on Election Day at the polling place barring the need to count any additional outstanding ballots. The canvassing of votes will be open

to the public, including candidates, for observation, provided that the observers must not interfere with or attempt to influence the vote tabulation in any way.

Tie votes shall be resolved by drawing straws immediately after the canvassing of votes if all candidates or their designated representatives are present or within two (2) calendar days with notice provided on the Department website. The IEA or other EmpowerLA staff will conduct the tie resolution in public view and candidates or their designated representatives will be requested to be present.

The IEA will submit the Final Official Certified Canvass of Votes to the Neighborhood Council.

EmpowerLA will post the Final Official Certified Canvass of Votes on the EmpowerLA website immediately upon completion.

XVI. Challenges

Candidate Review Process

All requests for the review of a Candidate's certification status will be filed, reviewed and resolved by the Office of the City Clerk. Requests for the review of a Candidate's certification status may be filed from the time a candidate is certified on the EmpowerLA website through ten (10) days after the close of the Candidate Filing Period for that Candidate's region. Any existing Candidate filing documents may be examined in person at the City Clerk's Election Division Office.

The Candidate Review Request must be submitted in written and must meet the following requirements:

- 1. Include the requestor's name
- 2. Include the requestor's address
- 3. Include the requestor's phone number
- 4. Include the requestor's email
- 5. Description of Why the Candidate's Certification Should be Revoked
- 6. Provide supporting documentation that the candidate is not qualified (none will be accepted after the request is filed)
- 7. Challenges without supporting documentation will automatically be rejected.

Requests for Candidate reviews shall be sent to the Office of the City Clerk - Election Division at clerk.election@lacity.org. Requests shall be processed by the Office of the City Clerk - Election Division. If a candidate's certification is revoked, and the document submission deadline has not elapsed, the candidate will have until the deadline for submission of supporting documents to provide additional documents. If a candidate's certification is revoked between the deadline for submission of supporting documents (57 days prior to election day) and the close of the candidate review period (50 days prior to election day), the candidate will have 24 hours to provide additional documentation. Requests for candidate reviews will not be accepted after the candidate review period has ended.

Election Challenges

Any stakeholder who voted and submits the same stakeholder documentation required of the voters in an election may file a challenge to the conduct of that election no later than 5 p.m. on the 5th calendar day after that election by filing an election challenge on the EmpowerLA Election

Challenge Portal (http://empowerla.org/election-challenge-process/). In addition to the information below, specific instructions regarding how to file a challenge and how the challenge will be handled are provided on the Portal.

The written request must meet the following requirements:

- 1. Identify the basis for the challenge to the election.
- 2. Identify the person(s) issuing the challenge and their contact information.
- 3. Identify up to 3 witnesses and provide their statements via a Witness Statement Form provided here.
- 4. Provide all supporting documentation, including any witness statements (none will be accepted after the request is filed).
- 5. The supporting documentation must prove that the alleged challenge is not only valid, but would also have made a difference in the election outcome. Challenges without such supporting documentation will automatically be rejected.

All of the submitted information is public information and will be listed on our elections website even if the challenge is withdrawn later.

Election challenges will be handled by the Neighborhood Council Grievance Panels if they meet the requirements.

The following is a list of challenges that the Department will and will not process:

Challengeable:

- Incorrect Ballots (which caused voters to vote either significantly more or less for a qualified or incorrect candidate)
- Electioneering by Candidate(s)
- Ballot Duplication (by a candidate or stakeholder)
- Explicit Use of City logo(s) for Campaign Materials by Candidate(s) (including LA City, EmpowerLA logo, Neighborhood Council logo, and any other City department logo)
- Neighborhood Council Board Endorsement of a Candidate or Slate of Candidates
- Neighborhood Council Outreach Materials Where Only Existing Board Member Candidates Are Mentioned after Candidates Are Certified
- Americans with Disabilities Act (ADA) Accessible Facility (if curbside voting was not available)
- Illegal Collection of Vote-by-Mail Ballots
- Multiple Voting any voter who casts multiple ballots in one Neighborhood Council election illegally

Any area not listed above is non-challengable, including, but not limited to:

- Lack of Outreach (outreach performed by a Neighborhood Council, the Department, or any other City entity)
- Published Articles (challenges based on election information published in media such as the Internet [including blogs], newspaper[s], or any other type of media)
- Translated Election Material
- Candidate Forums
- Polling Place or Pop Up Poll Location Selection
- Change of Polling Place or Pop Up Poll Location
- Email Forwarding of Neighborhood Council "Get Out To Vote Material" or Emails.

- Ballot Design
- Neighborhood Council Endorsed Election Procedures/Policies
- Neighborhood Council Bylaws (Received from the Department by deadline)
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- Use of LA City, EmpowerLA logo, or Neighborhood Council logo when it is used on a
 website as identification purposes for an active link to click through to the City,
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Challenge Remedies

If a challenge is found to be valid, remedies will be narrowly interpreted to affect only the voters, candidates, or seats affected. Redoing the entire Neighborhood Council election is not a remedy unless the challenge affected every seat on the ballot. Remedies can include, but are not limited to, letters of correction/reprimand, disqualification of candidates or voters, Neighborhood Council funding penalties and referral to the City Attorney's Office for criminal prosecution.

XVII. Recounts

A recount of ballots will be conducted by the IEA, by request only, for the purpose of verifying the number of votes counted for any Board seat in a Neighborhood Council election.

Any stakeholder who meets the criteria listed below may request in writing, including email, a recount for a specific contest or for the entire election for a Neighborhood Council election within three (3) calendar days after the election.

For a recount request to be accepted for action, the following criteria must be met:

- 1. The number of votes separating the candidates in question must be 10% or less of the total votes cast in that specific contest, and;
- 2. The stakeholder(s) filing the request must have voted in the election in question and must provide the same stakeholder status verification required of voters in the election.
- 3. A recount must start no later than five (5) City of Los Angeles business days following the

receipt and acceptance of a request and will be open to the public. A notice announcing the date, time, and location of the recount will be posted on the Neighborhood Council and Department websites and all candidates for the Board seat(s) being recounted will be notified.

4. The recount will be open to public observation provided that observers must not interfere with or in any way attempt to influence the persons conducting the recount.

The IEA will certify and forward the recount results to the Neighborhood Council and EmpowerLA immediately upon completing the recount. The results of an election are considered changed only if the identity of any person who had been declared elected is changed.

XVIII. Notice of Vacating Multiple Seats

This article is applicable where a candidate is elected to multiple board seats on the same Neighborhood Council board at the same election and where the Neighborhood Council allows candidates to run for more than one board seat at a time.

Where a candidate seeking multiple board positions on a Neighborhood Council board is the winning candidate for more than one of those positions, the candidate will be required to choose one board position no more than three (3) calendar days after the posting of the official results or from the day when any and all election recounts and challenges are resolved for the specific Neighborhood Council election, whichever date is later.

The declined position(s) shall be filled with the next candidate who received the most votes, or if none, the vacancy shall be filled according to the Neighborhood Council bylaws.

Where the candidate does not select one board position by the deadline, the candidate will be deemed ineligible for all positions won as the result of the election, except for the one position where the candidate received the most votes.

XIX. Outreach for the Election

Neighborhood Councils may set up a table to conduct exit polls and surveys within the 100 foot mark as directed by the Department.

Neighborhood Councils are responsible for informing their stakeholders about the election. EmpowerLA will assist in outreach by providing information about the elections on its website.

xx. Videotaping

Videotaping and photography is permitted in the Polling Place on Election Day under the following conditions:

- Video/Photography is only permitted with the expressed permission of everyone at the polling place.
- Polling Place staff may not withhold permission to be photographed.
- Video/Photography will not be of voter's faces.
- Video/Photography will not be of a voter making their ballot choice.
- All persons taking video or photographs are required to sign in with the Polling Place staff and provide contact information.

Ballots may not be recorded or photographed.

XXI. Seating of Newly Elected Board Members

- A. The seating of a newly-elected Neighborhood Council board will take place when:
 - EmpowerLA has issued certified election results for the Neighborhood Council; and.
 - 2. All official election challenges for the Neighborhood Council have been resolved.
- B. The board must be seated as a single unit. No partial and/or interim seating is allowed. Where a single challenge to a single seat has not been resolved, the rest of the board cannot be seated.
- C. The elected board shall be seated at the next regularly scheduled Neighborhood Council meeting within thirty (30) calendar days of the criteria in Section A being met. The first order of business shall be to officially seat the newly-elected board. All powers shall immediately be transferred over to the newly-elected Board.
- D. Where a regularly scheduled meeting is not scheduled within thirty (30) calendar days of the certification of the election results and the resolution of all official election challenges, the outgoing board or the EmpowerLA will call a special meeting within fifteen (15) calendar days of the aforementioned criteria being met in accordance with the Brown Act to seat the Board. EmpowerLA shall preside over the meeting where the first order of business shall be to officially seat the newly-elected board. All powers shall immediately be transferred over to the newly-elected board.
- E. Until such time as the EmpowerLA has issued certified election results and all official election challenges have been resolved for the Neighborhood Council, the incumbent board members will continue in their duly elected/appointed positions.

XXII. Translation and Language Assistance

The following documents are available for translation: Stakeholder Registration Form, online voting, and At-Polls Voting Instructions. Translation requests will be limited to two (2) languages other than English and Spanish per Neighborhood Council.

The Department will provide language assistance on Election Day upon the request of the Neighborhood Council board. Voters may bring their own interpreters/translators on Election Day to assist them so long as the interpreters/translators sign in at the Election Registration Table.

XXIII. Exit Polls and Surveys

Stakeholders, news media, or other organizations wishing to conduct a survey, exit poll, or other survey of the voters on Election Day will be permitted to do so subject to certain limitations.

Any person or group conducting surveys, exit polls, or other survey of voters are advised to remain at least 100 feet from the door of the polling place. Surveys and exit polling will be permitted as long as it does not interfere with the voting process. Candidates are prohibited from participating and conducting surveys, exit polls, or other survey of voters on Election Day.

Any person or group conducting a survey or exit poll is required to coordinate with the Polling Place Manager and to be respectful of poll worker priorities. All persons conducting a survey, exit poll, or other survey of voters on Election Day are required to sign in with the Polling Place staff, provide contact information, and wear a name tag for identification purposes. Polling place staff will indicate where the 100 foot mark is located with visible signage. In addition, every voter has the right not to disclose how he or she may have voted.

XXIV. Governing Board Member Seats Not Filled Through the Election

Any board member seat(s) that is/are not filled through the election process will be deemed vacant when the new governing board takes office. Vacant seat(s) will be filled according to the Neighborhood Council bylaws. If less than a quorum of the board seats are filled, then the Neighborhood Council will fall under the Board of Neighborhood Commissioners Loss of Quorum Policy.

XXV. Release of Election Materials

Immediately after the certification of election results for the final region, the City Clerk - Election Division shall make the following items available for pick up by the Neighborhood Council:

 Stakeholder Registration Forms (excluding stakeholder documentation) for any at polls voters

The City Clerk - Election Division shall retain all other election-related materials for a period of three months after the certification of election results after the final regional election. Thereafter, NC election-related materials will be destroyed. No NC election-related materials will retained after the three month retention period.

The newly-elected board shall designate an individual to pick up the above-mentioned material on behalf of the Neighborhood Council at a prior board meeting. The designated individual shall contact the City Clerk - Election Division to schedule an appointment to pick up the materials. All documents retained by the Neighborhood Council shall be subject to the California Public Records Act for the length of time the documents are retained by the Neighborhood Council.

XXVI. Public Records Act

This is to notify all stakeholders of the policy regarding California Public Records Act (CPRA) requests for materials used in Neighborhood Council elections. Under the CPRA, a member of the public can make a valid request for public documents either in writing (including e-mail) or orally. The CPRA requires the disclosure of governmental records to the public, subject to certain exemptions.

Certain information on governmental records may be redacted: home street addresses; home telephone numbers; private e-mail addresses; signatures; or any other identifying information as determined by the Office of the City Attorney.

The following are examples of what information is subject to disclosure and what information must be redacted prior to fulfilling a CPRA request for Neighborhood Council elections:

- Stakeholder Registration Forms and ballots will only be made available for inspection after the Official Canvass is completed in order to ensure critical documents are available for use by staff when needed, to avoid any interference with the election process, and to avoid the possibility of duplication and/or fraud.
- The processed ballots and non-exempt information on the Stakeholder Registration Forms will be provided within a reasonable amount of time after the date of the election.
- In regard to the Stakeholder Registration Forms, the following information will be redacted prior to fulfilling a CPRA request:

Since candidates for Neighborhood Council board seats are vying for public seats, candidate filing forms, which can include a candidate's contact information and qualifying information, are considered public information and subject to disclosure. All candidates must provide documentation to establish their stakeholder status for the position which they are applying. Any documentation submitted by a candidate and retained by the City Clerk will be disposed upon the certification of a candidate.

Election Challenges are subject to disclosure as a public record. When requested, the name of the person filing the challenge and the grounds for filing the challenge must be disclosed. Any documentation submitted by a challenger to support his or her challenge is subject to limited disclosure.

Once a CPRA request is made, the Department will have ten (10) calendar days to respond to the request, indicating what will or will not be disclosed, the reasoning behind any decisions made, and, if applicable, the total fee for requested copies. Please note that an additional fourteen (14) calendar days to respond may be allowed if warranted by special circumstances. This ten (10) calendar day period is not the period of time in which the request must be fulfilled, but rather, the period of time in which to notify the requesting party what information will be disclosed.

Redactions must be made when members of the public view the requested materials in person and when copies are made and provided to the public. When viewed in person, the public may examine and take notes of the redacted material, but may not have access to any exempt information. When fulfilling an in-person request, a member of the staff will remain present at all times to supervise the viewing and to answer any questions that may arise.

In the event that photocopies of materials are requested, the City Clerk or the EmpowerLA will charge \$0.10 for each photocopy. Payments can be made in person or sent to the City Clerk at 555 Ramirez, Space 300, Los Angeles 90012 or to Department of Neighborhood Empowerment, 20th Floor, City Hall, 200 N. Spring Street, Los Angeles, CA 90012, prior to the copies being made. Checks should be made out to the City of Los Angeles.

XXVII. Disposition of Election Records

The City Clerk shall retain all election related materials for a period of ninety (90) days after the conclusion of the last regional election day. All election-related materials will be made available to the public in accordance with the CPRA and subject to Article XXIV. After ninety (90) days of retention by the City Clerk, all Neighborhood Council election-related materials will be disposed.

Section	Old Language	Revised Language
VII. C. 3 (p 19)	3. Candidate Statements must be submitted in writing online and may not exceed the 1,000 characters limit (translations not included). Candidate statements are printed as submitted, with no editing. Additionally, a candidate may submit translated version(s) of the original statement, which must comply with all aforementioned criteria.	exceed the 1,000 characters limit, including translation. Candidate statements are printed as submitted, with no editing. Additionally, a candidate
XI.(p 15)	XI. Board Outreach after Candidates Are Certified - Once candidates are certified, if a Neighborhood Council releases a newsletter or conducts any outreach listing any existing board members, who are also candidates, the outreach materials must include the same information for all candidates, i.e. the non-Board member candidates. In this respect, the City Clerk recommends that promotional pieces that include the list of candidates be distributed after the Final List of Certified Candidates has been issued (45 days prior to Election Day).	Once the Final List of Certified Candidates has been issued by the City Clerk, if a Neighborhood Council releases a newsletter or conducts any outreach listing the names of any existing board members, who are also candidates, the outreach materials must include the same information for all
XI. (p 9)	Candidate Forums - Each Neighborhood Council may present any number of Candidate Forums or arrange for forums sponsored by other organizations, such as a Chamber of Commerce or other regional Neighborhood Council organizations. Each forum, however, must ensure that each and every certified candidate is provided equal time and exposure. In this respect, the City Clerk recommends that promotional pieces that contain lists of certified candidates be distributed after the Final List of Certified Candidates has been issued (45 days prior to Election Day). Advertise your candidate forum to increase attendance.	Each Neighborhood Council may present any number of Candidate Forums or arrange for forums sponsored by other organizations, such as a Chamber of Commerce or other regional Neighborhood Council organizations. Each forum, however, must ensure that
XIII (p 15)	NA	An extension to the Candidate Filing Registration deadline of an election region will only be considered if it can be established that an error by EmpowerLA and/or City Clerk caused a delay that impeded the election region's ability to field sufficient qualified candidates and that there is an outreach plan for the election region that will increase the number of candidate filings during the extended time frame.



Neighborhood Council Election Challenge Portal

The Neighborhood Council Election Challenge Portal provides supplemental information for the 2016 Neighborhood Council Election Manual on election challenges. Please read all of the information on this page before you file a challenge to ensure that it qualifies as a challengeable issue and that you have submitted all of the necessary information.

General Information

The Department of Neighborhood Empowerment (Department) will be conducting the 2016 elections regionally starting on April 2, 2016 and concluding on June 18, 2016. Each region is comprised of six to ten Neighborhood Councils, and they will hold their elections on the same day, but at different times and locations within their boundaries.

What is a challenge?

A challenge is an opportunity for a voter to request clarification and correction of the validity of certain aspects of a Neighborhood Council election.

Who may file a challenge?

Any stakeholder who voted in their Neighborhood Council election and submits the same stakeholder documentation required of the voters in the election may file a challenge to the conduct of that election.

When is the deadline to file a challenge?

A qualified stakeholder as noted above may file an election challenge no later than five (5) calendar days after the at poll elections. The deadline is 5 pm of the 5th calendar day.

What information will I need to submit for the challenge?

The challenge submission must meet the following requirements:

- 1. Identify the basis for the challenge to the election.
- 2. Identify the person(s) issuing the challenge and their contact information.
- 3. Identify up to three witnesses and provide their statements via a Witness Statement Form provided here.
- **4.** Provide all supporting documentation, including any witness statements (none will be accepted after the request is filed).
- 5. The supporting documentation must prove that the alleged challenge is not only valid, but would also have made a difference in the election outcome. Challenges without such supporting documentation will automatically be rejected.

All of the submitted information is public information and will be listed on our elections website even if you withdraw the challenge later.

What challenges will be considered valid challenges?

Challengeable:

- Incorrect Ballots (which caused voters to vote either significantly more or less for a qualified or incorrect candidate)
- Electioneering by Candidate(s)
- Ballot Duplication (by a candidate or stakeholder)
- Explicit Use of City logo(s) for Campaign Materials by Candidate(s) (including LA City, EmpowerLA logo, Neighborhood Council logo, and any other City department logo)
- Neighborhood Council Board Endorsement of a Candidate or Slate of Candidates
- Neighborhood Council Outreach Materials Where Only Existing Board Member Candidates Are Mentioned after Candidates Are Certified
- Americans with Disabilities Act (ADA) Accessible Facility (if curbside voting was not available)
- Illegal Collection of Vote-by-Mail Ballots
- Multiple Voting any voter who casts multiple ballots in one Neighborhood Council election illegally

What challenges are not valid challenges?

Not Challengeable:

- Lack of Outreach (outreach performed by a Neighborhood Council, the Department, or any other City entity)
- Published Articles (challenges based on election information published in media such as the Internet [including blogs], newspaper[s], or any other type of media)
- Translated Election Material
- Candidate Forums
- Polling Place or Pop Up Poll Location Selection
- Change of Polling Place or Pop Up Poll Location
- Email Forwarding of Neighborhood Council "Get Out To Vote Material" or Emails.

- Ballot Design
- Neighborhood Council Endorsed Election Procedures/Policies
- Neighborhood Council Bylaws (Received from the Department by deadline)
- Neighborhood Council Endorsed Polling Place or Pop Up Poll Suggestions
- Stakeholder Qualifications to Vote (Neighborhood Council Bylaws or Election Procedures Stipulation Worksheet)
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What are the remedies for the challenges?

If a challenge is found to be valid, remedies will be narrowly interpreted to affect only the voters, candidates, or seats affected. Redoing the entire Neighborhood Council election is not a remedy unless the challenge affected every seat on the ballot. Remedies can include, but are not limited to, letters of correction/reprimand, disqualification of candidates or voters, Neighborhood Council funding penalties and referral to the City Attorney's Office for criminal prosecution.

Who reviews the challenge?

There are three levels of review for all election challenges:

- 1. The Department staff will do an initial review to determine if the challenge was submitted before the deadline. If it is deemed timely, the challenge will move to the next level. If not, the challenge will be rejected.
- 2. Three Independent Election Administers (IEAs), who were not assigned to the region from which the challenge was filed, will review the challenge with the Office of the City Attorney to determine if it falls into one of the category of challengeable issues listed below and if it has the supporting documentation. If so, the challenge will move to the Election Challenge Panel for final determination. If not, the challenge will dismissed by the IEAs.
- 3. Three Neighborhood Council Regional Grievance Panel members, who are assigned by their Neighborhood

Council to resolve grievances, will review the challenge and supporting documentation at a Brown acted and posted meeting open to the public. The Department selects the Panel members from Neighborhood Councils in other regions of the City to ensure that they are neutral. If the Panel determines the challenge is valid, they will sustain the challenge and recommend a remedy to be implemented by the Department. If they determine the challenge is not valid, they will dismiss the challenge.

Who can attend the Regional Grievance Panel Hearing?

The meeting is open to the public. Members of the public have to ability to provide public comment on the challenges.

What happens at the Regional Grievance Panel Hearing?

The only written evidence considered at the Regional Grievance Panel Hearing by persons filing an Election Challenge will be the filed Election Challenge, up to three Witness Statements and the documents uploaded with the Election Challenge. At the hearing on the Election Challenge, the person filing the Election Challenge shall have the opportunity to present an opening argument not to exceed ten minutes. If there are any person or persons being challenged, they shall have the opportunity to present and opening argument not to exceed ten minutes. A designee from the Department of Neighborhood Empowerment/City Clerk Neighborhood shall have the opportunity to present an opening argument not to exceed ten minutes. The person filing the Election Challenge shall then present a rebuttal not to exceed five minutes. If applicable, the person or person subject to the challenge may present a rebuttal not to exceed five minutes. The designee of the Department of Neighborhood Empowerment/City Clerk shall present a rebuttal not to exceed five minutes. The Regional Grievance Panel may, in its sole discretion, extend the time of the opening arguments and rebuttals. No further witness testimony shall be allowed. After the rebuttal by the designee from the Department of Neighborhood Empowerment/City Clerk, the Regional Grievance Panel may question the parties. The Regional Grievance Panel will open the matter for public comment for ten minutes unless, in the sole discretion of the Regional Grievance Panel, additional time for public comment is necessary to adjudication of the Election Challenge. The Regional Grievance Panel then shall deliberate the Election Challenge and provide a recommended determination and remedy to the Department of Neighborhood Empowerment.

If I file a challenge, do I have to appear in person at the Regional Grievance Panel Hearing?

No, the Regional Grievance Panel will make a determination based on the documentation submitted, the Department/City Clerk report and public comment.

Can the Regional Grievance Panel determination be appealed?

No, the Regional Grievance Panel determination cannot be appealed.

Can the IEAs determination be appealed?

No, the IEAs determination of whether the challenge moves to the Regional Grievance Panel cannot be appealed.

What is the timeline for challenges to be processed?

Valid challenges will be heard by the Regional Grievance Panel within fourteen business days. A copy of the Election Challenge Panel Determination will be sent via email to the challenger and posted to the Department website within seven calendar days after the hearing.

Can the newly elected board be seated when a challenge is filed?

No, all election challenges must be resolved before the elections results are certified and the newly elected board members seated. Until then, the current board will continue meeting operations of the Neighborhood Council.

How will I know what happened to a challenge?

You can keep track of all election challenges and the status on the Submitted Challenges web page

The Department will notify the challenger via email if the challenge is rejected or dismissed by the IEAs or the Election Challenge Panel. If the challenge is sent to the Election Challenge Panel, the Department will notify via email the challenger, the Neighborhood Council, the witnesses, and anyone accused in the challenge provided we have their contact information. We will also physically post the agenda for the Election Challenge Panel meeting pursuant to the Brown Act at City Hall, as well as send it through the Emergency Notification System (ENS) for the Neighborhood Council.

How are challenges submitted?

Challenges must be submitted online via this portal. The submission form is available **here**. We will not accept challenges delivered to the Department in any other manner.

All supporting documentation for challenges, including up to three Witness Statement Forms, must be submitted with the online form. If you attach additional Witness Statement Forms, we will only accept the first three. We will not accept additional documentation after the filing deadline.

Where can I learn more about the challenge process?

If you have any other questions about the election challenge process, please call the Elections Division at (818) 293-8683.

DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT

SEARCH OUR SITE

200 North Spring Street, Suite 2005 Los Angeles, California 90012

Search ...

Phone: 213-978-1551

Fax: 213-978-1751

NEWSLETTER ARCHIVE

To contact the webmaster, please E-mail webmaster@EmpowerLA.org



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Council to resolve grievances, will review the challenge and supporting documentation at a Brown acted and posted meeting open to the public. The Department selects the Panel members from Neighborhood Councils in other regions of the City to ensure that they are neutral. If the Panel determines the challenge is valid, they will sustain the challenge and recommend a remedy to be implemented by the Department. If they determine the challenge is not valid, they will dismiss the challenge.

Who can attend the Regional Grievance Panel Hearing?

The meeting is open to the public. Members of the public have to ability to provide public comment on the challenges.

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If I file a challenge, do I have to appear in person at the Regional Grievance Panel Hearing?

No, the Regional Grievance Panel will make a determination based on the documentation submitted, the Department/City Clerk report and public comment.

Can the Regional Grievance Panel determination be appealed?

No, the Regional Grievance Panel determination cannot be appealed.

Can the IEAs determination be appealed?

No, the IEAs determination of whether the challenge moves to the Regional Grievance Panel cannot be appealed.

What is the timeline for challenges to be processed?

Valid challenges will be heard by the Regional Grievance Panel within fourteen business days. A copy of the Election Challenge Panel Determination will be sent via email to the challenger and posted to the Department website within seven calendar days after the hearing.

Can the newly elected board be seated when a challenge is filed?

No, all election challenges must be resolved before the elections results are certified and the newly elected board members seated. Until then, the current board will continue meeting operations of the Neighborhood Council.

How will I know what happened to a challenge?

You can keep track of all election challenges and the status on the Submitted Challenges web page

The Department will notify the challenger via email if the challenge is rejected or dismissed by the IEAs or the Election Challenge Panel. If the challenge is sent to the Election Challenge Panel, the Department will notify via email the challenger, the Neighborhood Council, the witnesses, and anyone accused in the challenge provided we have their contact information. We will also physically post the agenda for the Election Challenge Panel meeting pursuant to the Brown Act at City Hall, as well as send it through the Emergency Notification System (ENS) for the Neighborhood Council.

How are challenges submitted?

Challenges must be submitted online via this portal. The submission form is available **here**. We will not accept challenges delivered to the Department in any other manner.

All supporting documentation for challenges, including up to three Witness Statement Forms, must be submitted with the online form. If you attach additional Witness Statement Forms, we will only accept the first three. We will not accept additional documentation after the filing deadline.

Where can I learn more about the challenge process?

If you have any other questions about the election challenge process, please call the Elections Division at (818) 293-8683.

DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT

SEARCH OUR SITE

200 North Spring Street, Suite 2005 Los Angeles, California 90012

Search ...

Subject: Fw: Fwd: Vote NO on Skid Row Separation

From: Katherine Mcnenny (katherine.trees@yahoo.com)

To: issuesandsolutions@yahoo.com;

Date: Sunday, April 9, 2017 3:48 PM

----- Forwarded message -----

From: Unite DTLA <UniteDTLA@gmail.com>

Date: Fri, Mar 31, 2017 at 11:24 AM Subject: Vote NO on Skid Row Separation

To:

UNITE DOWNTOWN

Vote NO on Skid Row Separation



Neighborhood Council Election & Voter Registration



Click the icon for Voter Registration to vote online!

Deadline to register online is Sunday, April 2, 2017 at 11:59PM

Don't delay, register now!

Thank you for believing in Downtown!

Copyright © Unite DTLA 2017

Want to change how you receive these emails?
You can <u>update your preferences</u> or <u>unsubscribe from this list</u>

This email was sent to why did I get this? unsubscribe from this list—update subscription preferences
Unite DTLA P.O. Box #13096 · Los Angeles, Ca 90013 · USA

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Voters

About Voters

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OF

Update Profile

You were subscribed to this list because:

You are receiving this email because you reside within the designated area to vote in the DTLA Neighborhood Council Election.

Unite DTLA P.O. Box #13096 Los Angeles, Ca 90013

Add us to your address book

5/8/2017 SquirrelMail

Subject: email issues

From: patti.berman@dlanc.com Date: Fri, March 31, 2017 12:31 pm patti.berman@dlanc.com To:

Priority: Normal

As most of you know, our email has not been working properly for a while.

It would seem that most of the kinks have been worked out, but we need to change the way we access the email.

If you use Outlook or a similar client package, you will need to change the Incoming/Outgoing email server to hm2.hostingmetro.com.

If you log in from a browser, use dlanc.com/webmail to access. (Previously we used webmail.dlanc.com)

Hopefully this will fix the issues. Please let me know if issues continue.

Thank you,

Patti

Patti Berman

President

Downtown L.A. Neighborhood Council

DLANC

<http://www.dlanc.com/>

Attachments

untitled-[1.2].html text/html 4.8 KiB image/jpeg 6.7 KiB image001.jpg

Subject:	Fwd: Vote NO on Skid Row Separation
From:	Andrew Douglas (andrewbjdouglas@gmail.com)
То:	katherine.trees@yahoo.com;
Date:	Monday, May 15, 2017 10:39 PM

----- Forwarded message -----

From: Andrew Douglas <andrewbjdouglas@gmail.com>

Date: Fri, Mar 31, 2017 at 4:06 PM

Subject: Fwd: Vote NO on Skid Row Separation

To: patti.berman@dlanc.com

Hi Patty,

Because we haven't taken an official position on the vote, this implied DLANC endorsement seems in clear violation of at least a couple of our bylaws.

Despite my personal views on the matter, it's very disconcerting that an anonymous group would use our logo. Do you know who they are?

Kind Regards, Andrew

Begin forwarded message:

From: Unite DTLA <UniteDTLA@gmail.com>
Date: March 31, 2017 at 11:24:00 AM PDT
To: Andrew <andrewbjdouglas@gmail.com>
Subject: Vote NO on Skid Row Separation

Date: The CLE OF The Company of the Compan

Reply-To: <UniteDTLA@gmail.com>

UNITE DOWNTOWN

Vote NO on Skid Row Separation

ATTACHMENT B

patti.berman@dlanc.com

From:

patti.berman@dlanc.com

Sent:

Friday, March 31, 2017 4:11 PM

To:

'UniteDTLA@gmail.com'

Subject:

Our logo

To whom it may concern:

It has come to my attention that you are using the DLANC logo in emails. Please do not use this logo as it is a violation of City policy.

Thank you

Patti Berman President Downtown L.A. Neighborhood Council DLANC







Thomas Soong <thomas.soong@lacity.org>

Fwd: Vote No on Skid Row Separation

2 messages

Brett Shears brettshears2020@gmail.com
To: Thomas Soong Thomas.Soong@lacity.org

Fri, Apr 28, 2017 at 3:39 PM

----Original Message----

From: DTLA United <DTLAUnited@gmail.com>
To: Brett

Sent: Sat, Apr 1, 2017 10:35 am

Subject: Vote No on Skid Row Separation

United Downtown

Vote NO on Skid Row Separation



Neighborhood Council Election & Voter Registration



Click the icon for Voter Registration to vote online!

Deadline to register online is Sunday, April 2, 2017 at 11:59 PM

Don't delay, register now!

Thank you for believing in a United Downtown!

Copyright © United DTLA 2017

Want to change how you receive these emails?

You can update your preferences or unsubscribe from this list

This email was sent to brettshears2020@gmail.com

why did I get this? unsubscribe from this list update subscription preferences

DTLA United · PO BOX · Los Angeles, CA 90071 · USA



Brett Shears Contact Info Cell: (562) 447-8739



Stephen Box

Fwd: Next Labor Meeting - Topics and Notes

5 messages

Jed Parriott ·

Wed, Apr 5, 2017 at 1:28 AM

To: Stephen.Box@lacity.org, Mike.Fong@lacity.org

Hi Stephen and Mike,

This is Jed Parriott from the DSA H&H committee, I spoke with Antonio Rodriguez last night and he told me that you guys needed another email to show that DSA has done official business at a downtown address on a consistent basis before you can approve DSA members for online voting. I expect this one will work and that DSA members will be able to vote online by the middle of the morning.

Thanks,

Jed

----- Forwarded message -----

From: Max Belasco

Date: Wed, Apr 5, 2017 at 12:53 AM

Subject: Next Labor Meeting - Topics and Notes
To: Max Belasco!

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Art Share LA

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Los Angeles, CA 90013

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Anyway, be sure to mark down the time. I'll send you an email with an agenda tomorrow. Can't wait to meet up and plug everyone into all the developments!

In Solidarity,

Max

Labor Co-Chair

Democratic Socialists of America - Los Angeles

Chris Jetton

Wed, Apr 5, 2017 at 6:24 AM

To: Empower La <elections@empowerla.org>

Here is another meeting announcement

----- Forwarded message -----From: Jed Parriott <jdeforis@gmail.com>
Date: Wed, Apr 5, 2017 at 1:01 AM

Subject: Fwd: Next Labor Meeting - Topics and Notes

To: Chris Jetton <chris.jetton@gmail.com>

On Wed, Apr 5, 2017 at 12:53 AM, Max Belasco

wrote:

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Labor Co-Chair

Democratic Socialists of America - Los Angeles

Wed, Apr 5, 2017 at 6:30 AM

Stephen Box <Stephen.Box@lacity.org>

To: Ann-Marie Holman <amh@annmarieholman.com>, Mike Fong <mike.fong@lacity.org>

Second email regarding Democratic Socialists meeting at Art Share.

--- Forwarded message -----From: Jed Parriott [Quoted text hidden] [Quoted text hidden]

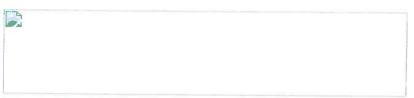
Stephen

Stephen Box Director of Outreach and Communication Senior Project Coordinator

Department of Neighborhood Empowerment

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Email | EmpowerLA@lacity.org Web | www.EmpowerLA.org



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EMPOWERLA LEADERSHIP ACADEMY

Jed Parriott 1

To: mike.fong@lacity.org, elections@empowerla.org

Wed, Apr 5, 2017 at 11:24 AM

Sent from my iPhone

Begin forwarded message:

From: Max Belasco <

Date: April 5, 2017 at 12:53:58 AM PDT To: "Max Belasco!" -

Subject: Next Labor Meeting - Topics and Notes

Fellow Workers,

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Anyway, be sure to mark down the time. I'll send you an email with an agenda tomorrow. Can't wait to meet up and plug everyone into all the developments!

In Solidarity,

Max Labor Co-Chair Democratic Socialists of America - Los Angeles

Mike Fong <mike.fong@lacity.org>

Wed, Apr 5, 2017 at 11:34 AM

To: Jed Parriott Co: Empower La <elections@empowerla.org>

c. Empower La Velections@empowena.org

Thanks, Jed. Our elections team will keep you posted as soon as possible.

Best,

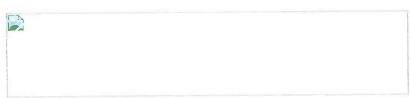
Mike

[Quoted text hidden]

Mike Fong Director of Policy and Government Relations

Department of Neighborhood Empowerment / Empower LA 200 North Spring Street, Suite 2005 Los Angeles, CA 90012

(213) 978-1551 mike.fong@lacity.org **Web** | www.EmpowerLA.org



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Stephen Box

Democratic Socialists confirmed as stakeholder organization

7 messages

elections@empowerla.org <elections@empowerla.org>

Wed, Apr 5, 2017 at 2:05 PM

To: Chris Jetton

Cc: elections@empowena.org, mike.rong@iacity.org

Hi Chris.

I wanted to confirm that Democratic Socialists of America are verified as a stakeholder organization within the Historic Cultural Neighborhood Council boundaries, as you routinely meet at an address within their borders.

A couple of important points to note, so that your members may vote successfully at the polls:

First, your members must still bring a photo ID, in order to vote. Second, your members must also provide a copy of the letter you gave them to verify their membership. They may either show the pollworker that email on their phone, or they may print a copy to bring. However, if they print the letter, it must show their email address/name at the top, to confirm that they are a personally a member of your organization.

If you wish, you may additionally create and submit a roster listing all your members' names. That way, members do not need to bring the letter they received from you to the polls; they only need to bring a photo ID and tell the poll worker they are on your roster, so we can look them up on your list. The roster should have your official logo and business name at the top, and include the local address where you regularly meet. We will then be able to verify any member with a photo ID. If you are unable to create such a roster in time, don't worry; your members may still use the letters you gave them, as outlined above, so long as they bring the letter and provide a photo ID.

Online voter registration closed this past weekend, so you may have members that were unable to be verified in time to vote online. However, any of your members - including those unable to register online - may come to the polls, and vote in person. Here are the remaining polling locations for today and tomorrow:

Pop-Up Poll Wed April 5 – LA City Hall

Time: 1pm - 4pm Department of Neighborhood Empowerment Los Angeles City Hall 200 North Spring Street Room 2005 Los Angeles, CA 90012

Pop-Up Poll Wed April 5 - Downtown LA *Please note time change from originally scheduled time of 12-3* Time: 4pm - 7pm

Medallion Apartments 334 S Main St Los Angeles, CA 90013

OFFICIAL ELECTION DAY POLLS Thursday April 6th, 2017 in Skid Row 3 pm - 7 pm James Wood Community Center 400 E 5th Street Los Angeles, CA 90021

Thank you to you and your associates for being part of this Election!

Best regards,

Ann-Marie Holman Communications 2017 Neighborhood Council Subdivision Elections

*Please submit all Election related challenges within 5 calendar days of the Neighborhood Council Elections. All challenges must be submitted through the EmpowerLA Challenge Portal

Department of Neighborhood Empowerment - Elections Division 200 N. Spring Street, Suite 2005 Los Angeles, CA 90012 Office | 213-978-1551 Fax | 213-978-1751

Email | EmpowerLA@lacity.org Web | www.EmpowerLA.org



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----- Original Message -----

Subject: Fwd: Next Labor Meeting - Topics and Notes

From: Chris Jetton

Date: Wed, April 05, 2017 6:24 am

To: Empower La <elections@empowerla.org>

Here is another meeting announcement

----- Forwarded message ----

From: Jed Parriott

Date: Wed, Apr 5, 2017 at 1:01 AM

Subject: Fwd: Next Labor Meeting - Topics and Notes

To: Chris Jetton

On Wed, Apr 5, 2017 at 12:53 AM, Max Belasco <

wrote:

Fellow Workers,

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I think it's important we have a meeting this weekend. The following weekend there will be a general membership meeting on 4/15, and then it's Easter on Sunday. I know a good number of folks might not be able to make this meeting, but don't worry - we will be taking copious notes in order to apprise everyone of what's been discussed and decided. I went to a May Day organizing meeting at the County Fed today, and have A LOT to report on regarding May Day.

We're going to be having the next DSA-LA Labor Meeting this Sunday, 4:00 PM at

Art Share LA 801 E 4th Pl Los Angeles, CA 90013 Chris Jetton

Wed, Apr 5, 2017 at 5:28 PM

To: Empower La <elections@empowerla.org>

Cc: mike.fong@lacity.org

Hi Anne Marie and Mike, just wanted to make sure you had communicated this to your poll workers. One of our members just tried to vote and they initially gave him a hard time about using the newsletter e-mail as proof of his DSA membership. He actually also happened to have a DSA membership card and they allowed that, but please we need to make sure everyone is on the same page about this. We have gone back and forth so many times, and our members are feeling pretty jerked around.

[Quoted text hidden]

elections@empowerla.org <elections@empowerla.org>

Wed, Apr 5, 2017 at 5:43 PM

To: Chris Jetton

Cc: mike.fong@lacity.org, elections@empowerla.org

Hi Chris,

The poll workers now know that they are to simply make sure that your members show a copy of the letter that includes either their email address or name at the top, and show an ID. Please let me know if anyone else experiences any issues.

My apologies for the length of time it took to verify your organization before, but we needed to make sure we had correctly documented DSA, in order to prevent anyone from attempting to contest the votes your members cast.

Best wishes, Ann-Marie

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EMPOWERLA LEADERSHIP ACADEMY

----- Original Message -----

Subject: Re: Democratic Socialists confirmed as stakeholder organization

From: Chris Jetton

[Quoted text hidden]

Chris Jetton

Fri, Apr 7, 2017 at 7:20 AM

To: "annmarie@empowerla.org" <annmarie@empowerla.org>, elections@empowerla.org

Cc: mike.fong@lacity.org



Stephen Box

Fwd: Next Labor Meeting - Topics and Notes

5 messages

Jed Parriott

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Date: Wed, Apr 5, 2017 at 12:53 AM

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Labor Co-Chair

Democratic Socialists of America - Los Angeles

Chris Jetton

Wed, Apr 5, 2017 at 6:24 AM

To: Empower La <elections@empowerla.org>

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Wed, Apr 5, 2017 at 6:30 AM

Stephen Box <Stephen.Box@lacity.org>

To: Ann-Marie Holman <amh@annmarieholman.com>, Mike Fong <mike.fong@lacity.org>

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--- Forwarded message -----From: Jed Parriott [Quoted text hidden] [Quoted text hidden]

Stephen

Stephen Box Director of Outreach and Communication Senior Project Coordinator

Department of Neighborhood Empowerment

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EMPOWERLA LEADERSHIP ACADEMY

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Los Angeles, CA 90013

Please note that this is on SUNDAY, not SATURDAY when we usually have our meetings.

As you guys may or may not remember this is where we met last time. Parking is available in the lot across the street - I'll include a photo in the follow up email including the agenda. If you are coming from the Membership meeting happening in Pan Pacific Park I'm happy to provide rides to this afterwards.

I'm going to work on getting you guys an agenda by the end of the day tomorrow. You can expect us to talk a bit about the WGA strike, plans for strike solidarity in the near future, and of course about May Day. We also might - dare I say - start doing some phone banking, so be ready to start reaching out to some fellow socialists!

I also wanted to highlight an article of interest that came up on Labor Notes today - a workshop training on Runaway Inequality: http://labornotes.org/2017/04/building-army-fight-runaway-inequality

Thinking about this in context of our labor education ideas, I think it might be useful to integrate political education programs like this one into our regimen. What do people think? Would people be interested in helping to put something like this on, or learn how to teach it? Let me know.

Anyway, be sure to mark down the time. I'll send you an email with an agenda tomorrow. Can't wait to meet up and plug everyone into all the developments!

In Solidarity,

Max Labor Co-Chair Democratic Socialists of America - Los Angeles

Mike Fong <mike.fong@lacity.org>

Wed, Apr 5, 2017 at 11:34 AM

To: Jed Parriott Co: Empower La <elections@empowerla.org>

c. Empower La Velections@empowena.org

Thanks, Jed. Our elections team will keep you posted as soon as possible.

Best,

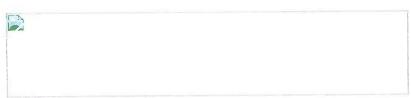
Mike

[Quoted text hidden]

Mike Fong Director of Policy and Government Relations

Department of Neighborhood Empowerment / Empower LA 200 North Spring Street, Suite 2005 Los Angeles, CA 90012

(213) 978-1551 mike.fong@lacity.org **Web** | www.EmpowerLA.org



Empower Yourself. Empower Your Community. Empower LA.

Several people who were on our roster and were eligible to vote online have run into problems and were unable to vote.

Here area few of them who emailed me about it.

Henriëtte Brouwers

Los Angeles Poverty Department

1.

Yes I did. I could not sign on the system. It kept me off on the internet. I tried to sign in as a new person then as a person that has signed up before. Finally I had to give up.

Julie Rico

juliericogallery.com

2.

I experienced problems! I registered on time and never received a confirmation PIN number. I called SEVERAL TIMES and emailed several times the number of empower LA and everything else possible, left my information and contact...never received a response. I called even the last day several times and nothing - so I wasn't able to vote online .

Clancey Cornell

3.

Yes, I found the system ridiculously confusing and unresponsive. I registered once and did not get no reply or confirmation of receipt. I registering again and received confirmation but not a PIN or how to vote; at that time I tried to upload a document I thought perhaps was missing, but could not. Only after you, Henriette, sent a message explaining what I should have received (a pin and confirmation number) did I realize I had to write or call them directly to get the pin and instructions to vote. I got it and I voted; there was a form to fill out about the experience and I said it was lousy. If I had not gotten your email I would have been waiting without ability to vote and would have missed it.

This is a travesty. The voting was ridiculously last minute and without any accountability in place.

Catherine Gudis

4.

I found the online process to be extremely confusing and cumbersome, and ultimately I wasn't able to register online. Then I went to the pop-up voting on Tuesday at 3rd & San Pedro, but the line was wrapping around the block. Same thing when I went to vote on Thursday at the James Wood Community Center. Line was around the block and I couldn't spend an hour trying to vote, so ultimately I didn't get to cast my ballot, unfortunately.

I think what happened was that I initially thought that the Skid Row Neighborhood Council was just a subdivision of DLANC, so you needed to be within DLANC boundaries in order to vote. I work at LTSC, which is just outside DLANC's boundaries on 3rd Street. So initially I was uncertain what "supporting documents" I

needed to submit that would be valid. I still submitted online (I think), but then I never heard anything back about my registration. Then, later I realized that people in DLANC or HCNC were eligible to vote, but by that time it was too late to register online, so I figured I would just go vote in person. Laura Blosser

5.

I never received my pin number after I was approved. I could not vote online as a result and I was in Las Vegas at the time.

Riccarlo Porter

This is what they send me after I registered to vote:

----- Original message -----

From: <u>elections@empowerla.org</u> Date: 4/5/17 5:22 PM (GMT-08:00)

To: elections@empowerla.org

Subject: Voting Credentials On Their Way For Skid Row Neighborhood Council

Election

Greetings,

Thank you for registering to vote in the Skid Row Neighborhood Council Subdivision Election.

Your registration is confirmed complete and correct. You should soon receive another email containing a link to vote online, as well as a username and PIN you may use to log onto that online voting portal from your PC, smartphone, or tablet.

Online ballots must be cast by 7 pm, Thursday April 6th, when the official Election Day polls close.

Once you receive your username and PIN, you may also bring them to the polls and cast your ballot in person on Election Day. Here are the hours and location - click the address for a map:

OFFICIAL ELECTION DAY POLLS
Thursday April 6th, 2017 in Skid Row
3 pm - 7 pm
James Wood Community Center
400 E 5th Street
Los Angeles, CA 90021
(Cross street San Julian)

For assistance, email <u>Elections@EmpowerLA.org</u>, or call 818-293-VOTE(8683). Thank you for all you do to Empower LA!

Sincerely, The EmpowerLA Elections Team

6.

I got a confirmation from your website that all I had to do was wait for a PIN number. Then I got an email that you couldn't confirm my identity. Then I called your office multiple times. Then I sent emails.

When I spoke to jasmine Duckworth, she felt it was indeed a mistake that could be rectified. I uploaded my license and was on the LA Poverty Department roster. What this seems like to me is grounds for voter tampering. Melina Bielefelt

7. Same here. Best, Jan Williamson

"I got a confirmation from your website that all I had to do was wait for a PIN number. Then I got an email that you couldn't confirm my identity. Then I called your office multiple times. Then I sent emails. I never got my pin number and was unable to vote."

Created: 5/19/2017

SUBDIVISION ELECTION SKID ROW CANVASS OF VOTES

OPTION	YES	NO
PAPER BALLOTS	183	19
CURBSIDE VOTES	0	0
PROVISIONAL VOTES	2	0
TOTAL PAPER BALLOTS	20	02
VOTER REGISTRATIONS	60	03
TOTAL CURSIDE	(0
TOTAL PROVISIONAL	1	1
PROVISIONAL COUNTED	2	2
PROVISIONAL NOT COUNTED	<u>C</u>	9

OPTION	YES	NO
ONLINE VOTES	581	807
TOTAL VOTES RECEIVED	13	88
TOTAL YES VOTES	76	66
TOTAL NO VOTES	82	26



Signature 1.

Signature 2.

Signature 3:

Subject: Fw: Update - Skid Row Subdivision Election Challenges

Date: Wednesday, July 18, 2018 at 2:23:12 PM Pacific Daylight Time

From: General Jeff

To: Christine Challoner

Attachments: sigimg0, sigimg1, sigimg2

-FYI-

General Jeff 323.445.0723 (cell)

Visit our Skid Row Neighborhood Council- Formation Committee website

https://skidrowneighborhoodcouncil.com

#SkidRowStillHere #SkidRowStillHere

Twitter: @GoSkidRowGo

Instagram: @SkidRowGeneralJeff

Skid Row community activist-ISSUES AND SOLUTIONS (2007-present)

LA County-Appointed Official
Consumer Representative on the
inaugural LA County Health Agency Integration Advisory BoardSelected by Mental Health Commission
(2015-present)
Chair- LA County Health Agency IAB Subcommittee on Homelessness
(2015-present)

Former Co-Chair- Skid Row Community Advisory Board for the Department of Mental Health (2012-2017)

Chair- "Skid Row Public Space Task Force" (2012-present)

Chair- Skid Row Neighborhood Council- Formation Committee (2014-present)

Former LA City-Elected Official (3 Two-Year Terms)
Resident Director- Central City East/Skid Row
Board of Directors
Downtown Los Angeles Neighborhood Council
(2008-2014)

Former VP, Outreach and Communications- DLANC (2011-2012)

Former State-Appointed Official California State Department of Public Health- Office of Health Equity-inaugural Advisory Committee Member (2013-2015)

---- Forwarded Message -----

From: "elections@empowerla.org" <elections@empowerla.org>

To: "mike.fong@lacity.org" <mike.fong@lacity.org>; Thomas Soong <thomas.soong@lacity.org>

Cc: Stephen Box <Stephen.Box@lacity.org>; Grayce Liu <grayce.liu@lacity.org>

Sent: Friday, April 14, 2017, 6:03:45 PM PDT

Subject: Update - Skid Row Subdivision Election Challenges

Greetings,

The Skid Row Subdivision Election received challenges which must be resolved before the election results can be certified.

Nearly 1600 people voted in this election. Ballots were cast online from smartphones and personal computers; at mobile Pop-Up Polls, and at the polling location on the official Election Day, Thursday April 6th.

The preliminary results were 764 in favor of the subdivision proposal and 826 opposed. Since then, two of the 11 provisional ballots have been verified and counted, making the preliminary results now 766 in favor and 826 opposed.

There was a request for a recount which came in after the deadline, but the issue is moot, as the ballots were already recounted as a matter of routine.

Election challenges were filed by stakeholders within the five calendar day period for filing such challenges. Those challenges will be addressed before the election results are certified.

The challenges filed may be viewed <u>here</u> - scroll to the bottom to view the Skid Row challenges. An overview of the challenge process - and a list of challengeable issues - may be viewed on p. 27 of the Neighborhood Council Election Manual, located <u>here</u>.

The Department of Neighborhood Empowerment reviewed the election challenges, and will be convening an Election Challenge Review Panel to resolve the pending challenges. The panelists will be selected from the Citywide list of challenge panelists, and the date and time for the panel hearing will be determined when the panelists have been selected. You will be notified when the time and date for that hearing is determined.

The Skid Row Neighborhood Council Subdivision Election was one of the first two to take place under the new <u>Subdivision Ordinance</u> set forth in 2016 by the Los Angeles City Council. Under this ordinance, stakeholders of a Neighborhood Council may petition to subdivide an existing Neighborhood Council to create a new one. A special election is then held for the stakeholders of that Neighborhood Council. The subdivision proposal must get a "yes" vote from a majority of voters, in order to pass.

For more information, please contact Stephen Box at <u>Stephen.Box@LACity.org</u> or by calling 213-978-1551.

Best regards, The EmpowerLA Elections Team

Department of Neighborhood Empowerment - Elections Division 200 N. Spring Street, Suite 2005
Los Angeles, CA 90012
Office | 213-978-1551 Fax | 213-978-1751
Email | EmpowerLA@lacity.org Web | www.EmpowerLA.org

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CITY OF LOS ANGELES

BOARD OF NEIGHBORHOOD COMMISSIONERS

LEONARD SHAFFER

JOY ATKINSON

JOSH LAFARGA EVE SINCLAIR ELI LIPMEN MAGGIE DARETT-QUIROZ DEBORAH WEHBE

Commission@EmpowerLA.org

TELEPHONE: (213) 978-1551



ERIC GARCETTI MAYOR



20[™] FLOOR, CITY HALL 200 NORTH SPRING STREET LOS ANGELES, CA 90012

TELEPHONE: (213) 978-1551
TOLL-FREE: 3-1-1
FAX: (213) 978-1751
F-MAII: Employeed A@lacibu or

GRAYCE LIU GENERAL MANAGER

www.EmpowerLA.org

Election Challenge Panel Special Meeting

Wednesday, May 3, 2017 6:30pm Ron F. Deaton Civic Auditorium 100 W. 1st St. Los Angeles, CA 90012

Conduct of the Election Challenge Panel Hearing. The only written evidence considered at the Regional Grievance Panel Hearing by persons filing an Election Challenge will be the filed Election Challenge, up to three Witness Statements and the documents uploaded with the Election Challenge. At the hearing on the Election Challenge, the person filing the Election Challenge shall have the opportunity to present an opening argument not to exceed ten minutes. If there are any person or persons being challenged, they shall have the opportunity to present an opening argument not to exceed ten minutes. A designee from the Department of Neighborhood Empowerment shall have the opportunity to present an opening argument not to exceed ten minutes. The person filing the Election Challenge shall then present a rebuttal not to exceed five minutes. If applicable, the person or person subject to the challenge may present a rebuttal not to exceed five minutes. The designee of the Department of Neighborhood Empowerment/City Clerk shall present a rebuttal not to exceed five minutes. The Election Challenge Panel may, in its sole discretion, extend the time of the opening arguments and rebuttals. No further witness testimony shall be allowed. After the rebuttal by the designee from the Department of Neighborhood Empowerment, the Election Challenge Panel may question the parties. The Election Challenge Panel will open the matter for public comment for ten minutes unless, in the sole discretion of the Election Challenge Panel, additional time for public comment is necessary to adjudication of the Election Challenge. The Election Challenge Panel then shall deliberate the Election Challenge and provide a recommended determination and remedy to the Department of Neighborhood Empowerment.

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and upon request, will provide reasonable accommodation to ensure equal access to its programs, services, and activities. Sign language interpreters, assisted listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability of services, please make your request at least 3 business days prior to the meeting you wish to attend by contacting the Department of Neighborhood Empowerment at 213-978-1551 or email NCSupport@lacity.org.

In compliance with Government Code section 54957.5, non-exempt writings that are distributed to a majority or all of the board in advance of a meeting, may be viewed at our website by AN EQUAL EMPLOYMENT OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER

clicking on the following link: **empowerla.org** or at the scheduled meeting. In addition, if you would like a copy of any record related to an item on the agenda, please contact NCSupport@lacity.org.

- 1. Introduction (5 minutes)
- 2. Call to Order
- 3. Discussion and Possible Action making recommendations on remedies to address election challenges #103-#105 submitted by "General" Jeff Page for April 6, 2017 Skid Row Subdivision Election. Reason for challenges:

Challenge #103 Campaign Material Issues

Challenge #104 Inapporpriate Endorsement of Candidate

Challenge #105 Electioneering by Candidates

Link to Challenge #103-#105:

https://lacity.quickbase.com/db/bkke2xh4j?a=dr&rid=103&rl=bi7p

https://lacity.quickbase.com/db/bkke2xh4j?a=dr&rid=104&rl=fy9

https://lacity.quickbase.com/db/bkke2xh4j?a=dr&rid=105&rl=fzb

(Challenges, Witness Statements, and Supporting documents are attached)
Department of Neighborhood Empowerment Election Challenge Report:
(Please see attached)

- 4. Public Comment
- 5. Adjourn

Challenge #103

NEIGHBORHOOD COUNCIL ELECTION CHALLENGE

Please note that all information submitted in this challenge is considered public information.

All challenges must be received by the Department no later than five (5) calendar days after the election date. (Deadline is 5pm on the 5th calendar day)

If you require assistance with completing this form, please contact the EmpowerLA Elections Division at (818) 293-8683.

I hereby submit my challenge for the

Challenge Due Date

Downtown LA

Neighborhood Council Election held on

04-06-17

✓ I affirm that I am a stakeholder in this Neighborhood Council who voted in the election and I have personal knowledge of the following challenge.

Name

"General" Jeff Page

Business Name (if applicable)

General Jeff

Address

1626 Wilcox Avenue #924, Los Angeles, California 90028

Phone

(323) 445-0723

Email

issuesandsolutions@yahoo.com

Reason for Challenge

Campaign Material Issues

Please state the facts for your challenge. (max 500 words)

Voting YES for the Skid Row NC- Formation Committee establishes us as a candidate in the Skid Row NC Subdivision election. Therefore, voting NO also automatically establishes DLANC as a candidate. It's that simple- Will Skid Row stay with DLANC or will Skid Row stay with itself- those are the two choices in this subdivision election, again clearly making DLANC a candidate.

Subsequently, it is illegal for candidates to "take a side" in any outreach materials, which DLANC did through a "front organization" called Unite DTLA. Irrefutable evidence, both paperwork and video, unequivocally proves that Unite DTLA connects directly to a DLANC URL, thus connecting DLANC to everything Unite DTLA has done regarding this subdivision election.

As a candidate, DLANC should thereby be immediately disqualified, along with their voters, seeing that their illegal election propaganda was sent consistently at least four times a day possibly until three days prior to our subdivision election.

As the Chair of the Skid Row Neighborhood Council- Formation Committee, I offer the following pieces of evidence;

- 1) Evidence of the e-mail sent by Unite DTLA, which also connects to DLANC directly to Unite DTLA's illegal use of DLANC's mailing address.
- 2) Evidence of Unite DTLA outreach materials directly connected to a URL which encompasses DLANC and also infers to a "managed list" which thereby implies that said outreach materials where shared with others.
- 3) Evidence of online conversations including myself and a current DLANC Board member who publicly validates his knowledge of

interactions connecting Unite DTLA and DLANC and further offers confirmation timestamps of the periodic distribution of said illegal outreach material.

4) Video evidence of the direct connection between DLANC and their "front organization" called Unite DTLA through outreach material distributed by Unite DTLA which connects directly to a URL that connects to DLANC, thus rendering DLANC directly involved with the distribution of position-taking outreach materials which is clearly stated as an illegal act by neighborhood council regulations.

Please state your desired remedy. (max 100 words)

DLANC, in it's efforts to sway the Skid Row Neighborhood Council- Formation Committee's subdivision election, should be found guilty with a swift punishment of disqualifications as a candidate, disqualification of their entire database (and/or number equivalency), publicly reprimanded and also punished with funding penalties in order for DONE to set an example for all NC's citywide of what will not be tolerated in any of it's NC elections.

Witness Information

ALL of your Witness information and Witness Statement needs to be included at this time. The Department will ONLY accept and review Witness information included at time of submission. You may have up to three (3) Witness Statements.

You can find the Witness Statement form here.

Witness 1 Contact Information

First Name
Katherine
Last Name
McNenny

Email Address Phone Number Witness Statement

katherine.trees@yahoo.com (310) 941-3585 SRNC Witness Statement 1.pdf

Witness 2 Contact Information

First Name
Last Name

Charles Porter

Email Address Phone Numberv Witness Statement

charlesp@socialmodel.com (213) 440-4891 SRNC Witness Statement 2.pdf

Witness 3 Contact Information

First Name Last Name

Email Address Phone Number Witness Statement

If no witness, please check this box

Attach all supporting documentation

Before submitting, please include ALL supporting documentation HERE. The Department will ONLY process and review materials included at time of submission.

Attachment 1 Attachment 2 Attachment 3

Skid Row NC video Evidence.pdf SEmpowerLA117041015270.pdf SEmpowerLA117041015300.pdf

Signature

I affirm that I am a stakeholder in this Neighborhood Council who voted in the election and I have personal knowledge of the following challenge.

"General" Jeff Page

To submit, please click SAVE on the top right corner

Staff Response

Determination

Status Date

Staff Processing the Challenge Region

Created on April 10 at 3:51 PM (PDT). Last updated by <u>Paramazian, Sevak</u> on April 11 10:34 AM at 10:34 AM (PDT). Owned by <u>Anonymous</u>.

DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT WITNESS STATEMENT FORM

FOR DEPT USE ONLY Challenge #_ Witness Form #_

	Witness Name:	Katherine McNenny	(Contac	t Num	her:	310) 941-35	585	
	Mailing Address:	420 South San Pero St. #430				-	@yahoo.co		
		Los Angeles, CA 90013							
	Challenges are c	covered in the Los Angeles A	Administrativ	e Code	e Sect	ion 22	.818.		
	"The following inf facts and circums	formation contained herein instances surrounding the Grie	s within my o	own pe	rsona w "Gen	l know eral" Jef	rledge ar	sp. 4/10/2017	ly to
	I was forwarded a but made to look	an email from an anonymou like it was from an entity cal Neighborhood Council Subo	s source, se lled "Unite D	nt out l	ny tha	עע וכו	IC "Mail	Chi	unt, te
	1.) This email is vehave taken a posi	erified as being sent by the ton on our election, and the	DLANC by it fact that the	l's URL y did, r	The makes	DLAN this a	IC was n	not supposed geable offend	to ce.
	2.) This email also in campaign mater	includes the DLANC logo, rials.	which is illeg	gal in th	nis ins	tance	because	e it is being us	sed
	3.) The DLANC en	ngaged in electioneering in o too, is a challengeable offen	our Skid Row ice.	v Neigh	borho	od Co	ouncil Su	ubdivision	
8	and correct. Lunder	alty of perjury under the law stand that all information on	s of the Stat this form is	te of Ca	aliforn record	ia that d.	the fore	egoing is true	
	Date: 4/10/2017 Vame: Katherine McNe	enny	Signature:	201	Huri	ful	My	mes	
		Departr	nent Rev	iew		\vee			
D	ate witness form re	eceived:	Date witnes	ss form	revie	wed:			
V	Vitness form review	ed by:	Grievance i	numbe	r:				

		2	

DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT WITNESS STATEMENT FORM

FOR DEPT USE ONLY

Challenge #______Witness Form #_____

Witness Name:	Charles Porter	Contac	t Number:	213.440.4891			
Mailing Address:	804 E 6th Street	Email:	charlesp@so	cialmodel.com			
	Los Angeles, CA 90021						
Challenges are c	overed in the Los Angeles Adn	ninistrative Cod	e Section 2	22.818.			
facts and circums	"The following information contained herein is within my own personal knowledge and relates only to facts and circumstances surrounding the Grievance submitted by Charles Porter on 4/10/17 regarding the Skid Row Neighborhood Council."						
	pased on the following violation on election process, illegally into						
voters to vote No	sent from a DLANC (Downtow. This implies that DLANC took which is prohibited.	***	-				
2.) The email refe	erenced above includes the DL	ANC logo, whic	h is also a	challenge-able offense.			
3.) I am of the opi	inion that DLANC engaged in e	lectioneering ir	this election	on which is also prohibited.			
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. I understand that all information on this form is public record. Date: 4/10/17							
Name: Charles Porte	r	Signature:	Ah				
	<u>Departm</u>	ent Reviev	<u>/</u>				
	received:						
Witness form revie	wed by:	Grievance num	ber:				

Skid Row NC video Evidence

https://drive.google.com/file/d/0B8Mhrct1PVIaOGYzV3FiYkZMdXM/view?usp=sharing

SMOKING GUN PROOF:.....For the sake of FULL transparency, I am going against legal advice because it is only fair for all to know what's going on behind-the-scenes regarding the election to create the Skid Row... More



reserved.

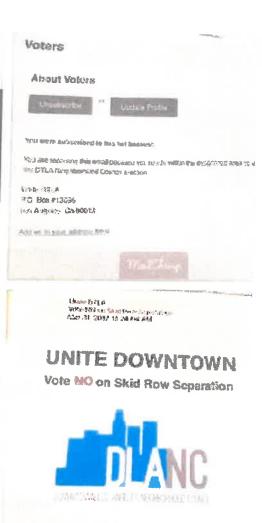
Downtown Los Angeles Neighborhood Council election.

Our mailing address is:

Downlown Los Angeles Neighborhood Council P.O. Box 13096 Los Angeles, CA 90013

Add us to your address book

Want to change how you receive these emails?



ATS STORE ATS

WHALCHY CEELONGS

CONTRACT STREET, CAR.

see forward this emoil to your nestrons and stakeholdons.

122 S. Crocker Street

51544

5.76pm

Man April 25



Jacob Douglas Van Horn

I've been intentionally not engaging in back and forth on this forum however I am going to need to address this.

Picture A is in fact from the DLANC mailchimp.

Picture D is indeed from that as well. This is an email informing people of when and where the polling places are. It does not take a position. It is an outreach email sent out asking people to help spread awareness of when and where people can vote. It is DLANC's obligation to inform people when and where they can vote in a neighborhood council election.

Pictures B and C are from a MailChimp that went out with someone using an entirely different email account. They included the DLANC logo and used the address. They were immediately contacted at that email address and told to cease and desist which is why this was not in any further emails sent by them. I replied to that email address myself and let them know while I know you feel you are helping spamming everyone's email inbox four times a day this is more likely to annoy people than it is to help with the effort.

Like · 🖒 6 · Reply · More · Apr 3 at 2:44pm

Jacob Douglas Van .. replied 6 replies





General Jeff

Jacob Douglas Van Horn- Can you share your e-mail you're referring to with the rest of us?

Like · Reply · More · Apr 3 at 3:04pm



Eric Garcia

DLANC should have immediately sent an email to its stakeholders stating that use of its logo was not authorized. If not sent yet, it should be sent now.

Like · 🖒 1 · Reply · More · Apr 3 at 3:15pm



Jacob Douglas Van Horn

Jeff I thought we had a common understanding. We had a great conversation yesterday discussing how we could work together no mater the outcome. I thought we showed each other mutual respect. With that last statement you questioned if that statement I made above was a lie. I have avoided any sort of ad hominem attack against you and have stopped others that are working on my side of this effort from doing the same against you. There were many who wanted to use that tactic but it was not appropriate. I would have expected better based off of the great one on one dialogue we had yesterday

Like 33 Reply More Apr 3 at 3:26pm



Jacob Douglas Van Horn and if we must



If you would please do us a favor and cut back on these. While you may be trying to help with a position I agree with spamming people over and over again is more likely to make people apathetic to voting in this election rather than convincing them to vote. If you wish to contact me and discuss further you may do so to my cell phone in my signature. Thank you in advance for your understanding of this request.

Sest,
Jacob Van Horn
New Downtown Brokerage
453 South Spring Street
Suite #1023
Los Angeles, California 90013
D 213-232-1617 C 310-321-8818
jacob@newdowntownbrokerage.com
www.newdowntownbrokerage.com

Signature deals that improve the community by bridging the transactions gap.

NOTICE: This e-mail message and any attachments are intended solely for the use of the intended recipient, and may contain information that is confidential privileged and exempt from disclosure under applicable law. It you are not the



Jacob Douglas Van Horn

Jacob Douglas Van Horn's Photos · Apr 3 at 3:27pm

View Full Size · More Options



Back







convincing them to vote. If you wish to contact me and discuss further you may do so to my cell phone in my signature spamming people over and over again is more likely to make people apathetic to voting in this election rather than Thank you in advance for your understanding of this request. If you would please do us a favor and cut back on these. While you may be trying to nelp with a position I agree with

www.newdownlownbrokerage.com Jacob Van Horn lacob@newdowntownbrokerage.com D 213-232-1617 C 310-321-8818 Suite #1023 453 South Spring Street New Downtown Brokerage .os Angeles, California 90013

Signature deals that improve the community by bridging the transactions gap.

contain information that is confidential rejuleced and exempt from discinsure under annifeable law. If you are not the NOTICE: This e-mail message and any attachments are intended solely for the use of the intended recipient, and may

Subject: Fw: Fwd: Vote NO on Skid Row Separation

From: Katherine Mcnenny (katherine.trees@yahoo.com)

To: issuesandsolutions@yahoo.com;

Date: Sunday, April 9, 2017 3:48 PM

----- Forwarded message -----

From: Unite DTLA <Unite DTLA@gmail.com>

Date: Fri, Mar 31, 2017 at 11:24 AM

Subject: Vote NO on Skid Row Separation

To:

UNITE DOWNTOWN

Vote NO on Skid Row Separation



Neighborhood Council Election & Voter Registration



Click the icon for Voter Registration to vote online!

Deadline to register online is Sunday, April 2, 2017 at 11:59PM

Don't delay, register now!

Thank you for believing in Downtown!

Copyright © Unite DYLA 2017

Want to change how you receive these energies

You can update your preferences or unsubscribe from this list

This email was sent to why did I get this? unsubscribe from this list—update subscription preferences Unite DTLA - P.O. How #13096 - Los Angeles, Ca 90013 - USA

Voters

About Voters

Unsubscribe

9

Update Profile

You were subscribed to this list because:

P.O. Box #13096 Unite DTLA DTLA Neighborhood Council Election. You are receiving this email because you reside within the designated area to vote in the

Add us to your address book

Los Angeles, Ca 90013

Challenge #104

NEIGHBORHOOD COUNCIL ELECTION CHALLENGE

Please note that all information submitted in this challenge is considered public information.

All challenges must be received by the Department no later than five (5) calendar days after the election date. (Deadline is 5pm on the 5th calendar day)

If you require assistance with completing this form, please contact the EmpowerLA Elections Division at (818) 293-8683.

I hereby submit my challenge for the

Downtown LA

Challenge Due Date

Neighborhood Council Election held on

04-06-17

 \checkmark I affirm that I am a stakeholder in this Neighborhood Council who voted in the election and I have personal knowledge of the following challenge.

Name

"General" Jeff Page

Business Name (if applicable)

General Jeff

Address

1626 north Wilcox Avenue #924, Hollywood, California 90028

Phone

(323) 445-0723

Email

issuesandsolutions@yahoo.com

Reason for Challenge

Inappropriate endorsements of candidate

Please state the facts for your challenge. (max 500 words)

Voting YES for the Skid Row NC- Formation Committee establishes us as a candidate in the Skid Row NC Subdivision election. Therefore, voting NO also automatically establishes DLANC as a candidate. It's that simple- Will Skid Row be with DLANC or will Skid Row be with itself- those are the two choices in this subdivision election, again clearly making DLANC a candidate.

Subsequently, it is illegal for candidates to "take a side" in any outreach materials, which DLANC did through a "front organization" called Unite DTLA. Irrefutable evidence, both paperwork and video, unequivocally proves that Unite DTLA connects directly to a DLANC URL, thus connecting DLANC to everything Unite DTLA has done regarding this subdivision election.

And because of that, DLANC is in violation of election fraud and inappropriate endorsement of itself as a candidate by publicly taking a position against the Skid Row Neighborhood Council.

Please state your desired remedy. (max 100 words)

DLANC, in it's efforts to sway the Skid Row Neighborhood Council- Formation Committee's subdivision election, should be found guilty with a swift punishment of disqualification as a candidate, disqualification of their entire database (and/or number equivalency, publicly reprimanded and also punished with funding penalties in order for DONE to set an example for all other NC's citywide of

what will not be tolerated in any of it's NC elections.

Witness Information

ALL of your Witness information and Witness Statement needs to be included at this time. The Department will ONLY accept and review Witness information included at time of submission. You may have up to three (3) Witness Statements. You can find the Witness Statement form here.

Witness 1 Contact Information

First Name	Last Name	
Katherine	McNenny	
Email Address	Phone Number	Witness
katherine.trees@yahoo.com	(310) 941-3585	Statement

SRNC Witness Statement 1.pdf

Witness 2 Contact Information

Last Name First Name Porter Charles

Witness **Phone Numberv Email Address** Statement (213) 440-4891 charlesp@socialmodel.com SRNC Witness Statement 2.pdf

Witness 3 Contact Information

Last Name First Name

Witness **Email Address Phone Number** Statement

If no witness, please check this box

Attach all supporting documentation

Before submitting, please include ALL supporting documentation HERE. The Department will ONLY process and review materials included at time of submission.

Attachment Attachment 2 Attachment 1 SEmpowerLA117041015300.pdf Skid Row NC video Evidence.pdf

Signature

I affirm that I am a stakeholder in this Neighborhood Council who voted in the election and I have personal knowledge of the following challenge.

"General" Jeff Page

To submit, please click SAVE on the top right corner

Staff Response

Determination Status Date

DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT WITNESS STATEMENT FORM

FOR DEPT USE ONLY

Challenge #______Witness Form #_____

Witness Name:	Katherine McNenny	Contact Number: 310) 941-3585
Mailing Address:	420 South San Pero St. #430	Email: katherine.trees@yahoo.com
	Los Angeles, CA 90013	
Challenges are co	overed in the Los Angeles Ad	ministrative Code Section 22.818.
lacis and circumst	tances surrounding the Grieva	within my own personal knowledge and relates only to ance submitted by "General" Jeff Paige on 4/10/2017 Duncil. SUBDIVISION ELECTION.
par made to look li	ike it was from an entity called Neighborhood Council Subdiv	source, sent out by the DLANC "Mail Chimp" account, d "Unite DTLA", that explicitly endorsed a "NO" vote ision election.
1.) This email is ve have taken a posite	rified as being sent by the DI on on our election, and the fa	ANC by it's URL. The DLANC was not supposed to ct that they did, makes this a challengeable offence.
This email also in campaign materi	includes the DLANC logo, whials.	nich is illegal in this instance because it is being used
3.) The DLANC eng election, and that to	gaged in electioneering in our	Skid Row Neighborhood Council Subdivision
and correct, I unders	alty of perjury under the laws of the laws of the laws of the laws of the law all information on the l	of the State of California that the foregoing is true his form is public record.
Date: 4/10/2017		Of AL MINE
Name: Katherine McNen	nny	Signature: Lattury Mynny
		ent Review
Date witness form red	ceived:	Pate witness form reviewed:
Witness form reviewe	d by: G	Grievance number:

DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT WITNESS STATEMENT FORM

FOR DEPT USE ONLY

Challenge #_______Witness Form #_____

	Witness Name: Charles Porter	Contact Number: 213.440.4891
	Mailing Address: 804 E 6th Street	Email: charlesp@socialmodel.com
	Los Angeles, CA 90021	
	Challenges are covered in the Los Angeles Admin	nistrative Code Section 22.818.
	"The following information contained herein is with facts and circumstances surrounding the Grievance regarding the Skid Row Neighborhood Council.	in my own personal knowledge and relates only to be submitted by Charles Porter on 4/10/17 cil."
	My challenge is based on the following violations to Council subdivision election process, illegally influence	hat occurred during the Skid Row Neighborhood encing the vote of downtown stakeholders.
	 An email was sent from a DLANC (Downtown L voters to vote No. This implies that DLANC took ar Council election, which is prohibited. 	os Angeles Neighborhood Council) URL asking official position on the Skid Row Neighborhood
	2.) The email referenced above includes the DLAN	C logo, which is also a challenge-able offense.
	3.) I am of the opinion that DLANC engaged in elec	
١	declare under penalty of perjury under the laws of t	he State of California that the foregoing is true
	and correct. I understand that all information on this Date: 4/10/17	form is public record.
N	Name: Charles Porter Sign	nature:
	<u>Departmen</u>	
D	Date witness form received: Date	e witness form reviewed:
V	Vitness form reviewed by: Grie	vance number:

Skid Row NC video Evidence

https://drive.google.com/file/d/0B8Mhrct1PVIaOGYzV3FiYkZMdXM/view?usp=sharing

Subject: Fw: Fwd: Vote NO on Skid Row Separation

From: Katherine Mcnenny (katherine.trees@yahoo.com)

To: issuesandsolutions@yahoo.com;

Date: Sunday, April 9, 2017 3:48 PM

----- Forwarded message -----

From: Unite DTLA <UniteDTLA@gmail.com>

Date: Fri, Mar 31, 2017 at 11:24 AM

Subject: Vote NO on Skid Row Separation

To:

UNITE DOWNTOWN

Vote NO on Skid Row Separation



Neighborhood Council Election & Voter Registration



Click the icon for Voter Registration to vote online!

Deadline to register online is Sunday, April 2, 2017 at 11:59PM

Don't delay, register now!

Thank you for believing in Downtown!

Copyright @ Unite DTLA 2017

Want to change how you receive these emails?
You can update your preferences or unsubscribe from this list

This email was sent to why did I get this? unsubscribe from this list—update subscription preferences Unite DTLA - P.O. Box #13096 - Los Angeles, Ca 90013 - USA

Voters

About Voters

Unsubscribe

0

Update Profile

You were subscribed to this list because:

P.O. Box #13096 Unite DTLA You are receiving this email because you reside within the designated area to vote in the DTLA Neighborhood Council Election.

Add us to your address book

Los Angeles, Ca 90013

Challenge #105

NEIGHBORHOOD COUNCIL ELECTION CHALLENGE

Please note that all information submitted in this challenge is considered public information.

All challenges must be received by the Department no later than five (5) calendar days after the election date. (Deadline is 5pm on the 5th calendar day)

If you require assistance with completing this form, please contact the EmpowerLA Elections Division at (818) 293-8683.

I hereby submit my challenge for the

Downtown LA

Challenge Due Date

Neighborhood Council Election held on

04-06-17

✓ I affirm that I am a stakeholder in this Neighborhood Council who voted in the election and I have personal knowledge of the following challenge.

Name

"General" Jeff Page

Business Name (if applicable)

General Jeff

Address

1626 north Wilcox Avenue #924, Hollywood, California 90028

Phone

(323) 445-0723

Email

issuesandsolutions@yahoo.com

Reason for Challenge

Electioneering by candidates

Please state the facts for your challenge. (max 500 words)

Voting YES for the Skid Row NC- Formation Committee establishes us as a candidate in the Skid Row NC Subdivision election. Therefore, voting NO also automatically establishes DLANC as a candidate. It's that simple- Will Skid Row stay with DLANC or will Skid Row stay with itself- those are the two choices in this subdivision election, again clearly making DLANC a candidate.

Subsequently, it is illegal for candidates to "take a side" in any outreach materials, which DLANC did through a "front organization" called Unite DTLA. Irrefutable evidence, both paperwork and video, unequivocally proves that Unite DTLA connects directly to a DLANC URL, thus connecting DLANC to everything Unite DTLA has done regarding this subdivision election.

As a candidate, DLANC should thereby be immediately disqualified, along with their voters, seeing that their illegal election propaganda was sent consistently at least four times a day possibly until three days prior to our subdivision election.

As the Chair of the Skid Row Neighborhood Council- Formation Committee, I offer the following pieces of evidence;

1) Evidence of the e-mail sent by Unite DTLA, which also connects to DLANC directly to Unite DTLA's illegal use of DLANC's mailing address.

- 2) Evidence of Unite DTLA outreach materials directly connected to a URL which encompasses DLANC and also infers to a "managed list" which thereby implies that said outreach materials where shared with others.
- 3) Evidence of online conversations including myself and a current DLANC Board member who publicly validates his knowledge of
- interactions connecting Unite DTLA and DLANC and further offers confirmation timestamps of the periodic distribution of said illegal outreach material.
- 4) Video evidence of the direct connection between DLANC and their "front organization" called Unite DTLA through outreach material distributed by Unite DTLA which connects directly to a URL that connects to DLANC, thus rendering DLANC directly involved with the distribution of position-taking outreach materials which is clearly stated as an illegal act by neighborhood council regulations.

Please state your desired remedy. (max 100 words)

DLANC, in it's efforts to sway the Skid Row Neighborhood Council- Formation Committee's subdivision election, should be found guilty with a swift punishment of disqualifications as a candidate, disqualification of their entire database (and/or number equivalency), publicly reprimanded and also punished with funding penalties in order for DONE to set an example for all other NC's citywide of what will not be tolerated in any of it's NC elections.

Witness Information

ALL of your Witness information and Witness Statement needs to be included at this time. The Department will ONLY accept and review Witness information included at time of submission. You may have up to three (3) Witness Statements.

You can find the Witness Statement form here.

Witness 1 Contact Information

First Name Katherine	Last Name McNenny	
Email Address katherine.trees@yahoo.com	Phone Number (310) 941-3585	Witness Statement SRNC Witness Statement 1.pdf
Witness 2 Contact Information		
First Name	Last Name	

Charles	Porter	
Email Address charlesp@socialmodel.com	Phone Numberv (213) 440-4891	Witness Statement
chartesp@socialmoder.com	(220)	SRNC Witness Statement 2.pdf

Witness 3 Contact Information

First Name Last Name

Email Address	Phone Number	Witness
		Statement

If no witness, please check this box

Attach all supporting documentation

Before submitting, please include ALL supporting documentation HERE. The Department will ONLY process and review materials included at time of submission.

DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT WITNESS STATEMENT FORM

FOR DEPT USE ONLY

Challenge #______Witness Form #_____

	Witness Name: K	atherine McNenny	Contact Number: 310) 941-3585				
	Mailing Address:	420 South San Pero St. #430	Email: katherine.trees@yahoo.com				
		Los Angeles, CA 90013					
	Challenges are co	vered in the Los Angeles A	dministrative Code Section 22.818.				
	"The following info facts and circumsta	rmation contained herein is ances surrounding the Grie	within my own personal knowledge and relates only to vance submitted by "General" Jeff Paige on 4/10/2017 council. SUBDIVISION FLECTION				
	I was forwarded an email from an anonymous source, sent out by the DLANC "Mail Chimp" account, but made to look like it was from an entity called "Unite DTLA", that explicitly endorsed a "NO" vote for our Skid Row Neighborhood Council Subdivision election. The violations are as follows:						
	1.) This email is ver have taken a posito	rified as being sent by the land on our election, and the	DLANC by it's URL. The DLANC was not supposed to act that they did, makes this a challengeable offence.				
	2.) This email also includes the DLANC logo, which is illegal in this instance because it is being used in campaign materials.						
3.) The DLANC engaged in electioneering in our Skid Row Neighborhood Council Subdivision election, and that too, is a challengeable offence.							
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. I understand that all information on this form is public record. Date: 4/10/2017							
		nv	Signature: Lattering Mynnes				
	Department Review						
U	litroca f	eived:	Date witness form reviewed:				
٧١	viuless form reviewed	1 Dy:	Grievance number:				

•		

DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT WITNESS STATEMENT FORM

FOR DEPT USE ONLY

Challenge #______Witness Form #_____

Witness Name: Charles Porter	Contact Number: 213.440.4891						
Mailing Address: 804 E 6th Street	Email: charlesp@socialmodel.com						
Los Angeles, CA 90021							
Challenges are covered in the Los Angeles Administr	ative Code Section 22.818.						
"The following information contained herein is within refacts and circumstances surrounding the Grievance segarding the Skid Row Neighborhood Council."	ubmitted by Charles Porter on 4/10/17						
My challenge is based on the following violations that Council subdivision election process, illegally influence	occurred during the Skid Row Neighborhood ing the vote of downtown stakeholders.						
An email was sent from a DLANC (Downtown Los Angeles Neighborhood Council) URL asking voters to vote No. This implies that DLANC took an official position on the Skid Row Neighborhood Council election, which is prohibited.							
2.) The email referenced above includes the DLANC I	ogo, which is also a challenge-able offense.						
3.) I am of the opinion that DLANC engaged in election	neering in this election which is also prohibited.						
	·						
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. I understand that all information on this form is public record. Date: 4/10/17							
Name: Charles Porter Signate							
Data witness form received:							
Date witness form received: Date w	itness form reviewed:						
Witness form reviewed by: Grievar	nce number:						

Skid Row NC video Evidence

https://drive.google.com/file/d/0B8Mhrct1PVIaOGYzV3FiYkZMdXM/view?usp=sharing

Subject: Fw: Fwd: Vote NO on Skid Row Separation

From: Katherine Mcnenny (katherine.trees@yahoo.com)

To: issuesandsolutions@yahoo.com;

Date: Sunday, April 9, 2017 3:48 PM

---- Forwarded message -----

From: Unite DTLA <Unite DTLA@gmail.com>

Date: Fri, Mar 31, 2017 at 11:24 AM Subject: Vote NO on Skid Row Separation

To:

UNITE DOWNTOWN

Vote NO on Skid Row Separation



Neighborhood Council Election & Voter Registration



Click the icon for Voter Registration to vote online!

Deadline to register online is Sunday, April 2, 2017 at 11:59PM

Don't delay, register now!

Thank you for believing in Downtown!

Copyright © Unite DTLA 2017

Want to change how you receive these emails?
You can update your preferences or unsubscribe from this list

This email was sent to

why did I get this? unsubscribe from this list—update subscription preferences

Unite DTLA - P.O. Box #13096 - Los Angeles, Ca 90013 - USA

Voters

About Voters

Unsubscribe

0

Update Profile

You were subscribed to this list because:

Unite DTLA You are receiving this email because you reside within the designated area to vote in the DTLA Neighborhood Council Election.

P.O. Box #13096 Los Angeles, Ca 90013

Add us to your address book



SMOKING GUN PROOF:.....For the sake of FULL transparency, I am going against legal advice because it is only fair for all to know what's going on behind-the-scenes regarding the election to create the Skid Row... More



ight © 2016 Downtown Los Angeles Neighborhood Council. Al reserved

Downtown Los Angeles Neighborhood Council election.

Our mailing address is:

Downlown Los Angeles Neighborhood Council P.O. Box 13096 Los Angeles, CA 90013

Add us to your address book

Want to change how you receive these emails?





Jacob Douglas Van Horn

I've been intentionally not engaging in back and forth on this forum however I am going to need to address this.

Picture A is in fact from the DLANC mailchimp.

Picture D is indeed from that as well. This is an email informing people of when and where the polling places are. It does not take a position. It is an outreach email sent out asking people to help spread awareness of when and where people can vote. It is DLANC's obligation to inform people when and where they can vote in a neighborhood council election.

Pictures B and C are from a MailChimp that went out with someone using an entirely different email account. They included the DLANC logo and used the address. They were immediately contacted at that email address and told to cease and desist which is why this was not in any further emails sent by them. I replied to that email address myself and let them know while I know you feel you are helping spamming everyone's email inbox four times a day this is more likely to annoy people than it is to help with the effort.

Like · 6 6 · Reply · More · Apr 3 at 2 44pm

Jacob Douglas Van ... replied 6 replies





General Jeff

Jacob Douglas Van Horn- Can you share your e-mail you're referring to with the rest of us?

Like · Reply · More · Apr 3 at 3:04pm



Eric Garcia

DLANC should have immediately sent an email to its stakeholders stating that use of its logo was not authorized. If not sent yet, it should be sent now.

Like · 🖒 1 · Reply · More · Apr 3 at 3:15pm



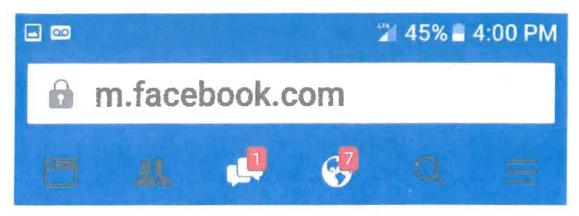
Jacob Douglas Van Horn

Jeff I thought we had a common understanding. We had a great conversation yesterday discussing how we could work together no mater the outcome. I thought we showed each other mutual respect. With that last statement you questioned if that statement I made above was a lie. I have avoided any sort of ad hominem attack against you and have stopped others that are working on my side of this effort from doing the same against you. There were many who wanted to use that tactic but it was not appropriate. I would have expected better based off of the great one on one dialogue we had yesterday

Like 3 Reply More Apr 3 at 3 26pm



Jacob Douglas Van Horn and if we must



If you would please do us a favor and cut back on these. While you may be trying to help with a position I agree with spamming people over and over again is more likely to make people apathetic to voting in this election rather than convincing them to vote. If you wish to contact me and discuss further you may do so to my cell phone in my signature. Thank you in advance for your understanding of this request.

Best,
Jacob Van Horn
New Downtown Brokerage
453 South Spring Street
Suite #1023
Los Angeles, California 90013
D 213-232-1617 C 310-321-8818
Jacob@newoowntownbrokerage.com
www.newdowntownbrokerage.com

Signature deals that improve the community by bridging the transactions gap.

NOTICE: This e-mail message and any attachments are intended solely for the use of the intended recipient, and may contain information that is confutential included and exercit from disclosure under anoticable law if you are not the



Jacob Douglas Van Horn

Jacob Douglas Van Horn's Photos · Apr 3 at 3:27pm

View Full Size · More Options



Back







spamming people over and over again is more likely to make people apathetic to voting in this election rather than convincing them to vote. If you wish to contact me and discuss further you may do so to my cell phone in my signature If you would please do us a favor and cut back on these. While you may be trying to nelp with a position I agree with Thank you in advance for your understanding of this request.

www.newdownlownbrokerage.com Jacob Van Horn jacob@newdowntownbrokerage.com 453 South Spring Street New Downtown Brokerage Suite #1023 D 213-232-1617 C 310-321-8818 Los Angeles, California 90013

Signature deals that improve the community by bridging the transactions gap.

contain information that is confidential privileged and exempt from disclosure under applicable law if you are not the NOTICE: This e-mail message and any attachments are intended solely for the use of the intended recipient, and may

CITY OF LOS ANGELES

BOARD OF NEIGHBORHOOD COMMISSIONERS

LEONARD SHAFFER

JOY ATKINSON

JOSH LAFARGA EVE SINCLAIR ELI LIPMEN MAGGIE DARETT-QUIROZ DEBORAH WEHBE

Commission@EmpowerLA.org

TELEPHONE: (213) 978-1551



ERIC GARCETTI
MAYOR

EMPOWER LA"

Department of MEIGHBORHOOD EMPOWERMENT

20[™] FLOOR, CITY HALL 200 NORTH SPRING STREET LOS ANGELES, CA 90012

TELEPHONE: (213) 978-1551 TOLL-FREE: 3-1-1 FAX: (213) 978-1751 E-MAIL: EmpowerLA@lacity.org

GRAYCE LIU

www.EmpowerLA.org

Date: April 28, 2017

To: Neighborhood Council Election Challenge Panelists

From: Grayce Liu, General Manager

Department of Neighborhood Empowerment (Department)

Re: Department Report on Skid Row Neighborhood Council Subdivision Election

Challenges #103 - Campaign Material Issues

Challenge # 104 - Inappropriate Endorsement of Candidate

Challenge #105 - Electioneering by Candidates

Background

On January 11, 2017, the Department notified Downtown Los Angeles Neighborhood Council (DLANC) that the subdivision application for the forming Skid Row Neighborhood Council was moving to the election phase of the process. DLANC had the option to take action on whether they supported the subdivision or not, but they did not take any action on the matter.

During the following months, outreach was conducted for the April 6, 2017 election, which included online voting in addition to an at polls location. On March 31, 2017 at 11:24 am, an email, which is the subject of the challenges, from Unite DTLA using the DLANC logo and mailing address was sent out to an unknown database. (Attachment A) The email stated "Vote NO on Skid Row Separation" and appeared to come from DLANC even though Unite DTLA is not known to be officially affiliated with DLANC. Neighborhood Councils are not allowed to use their name, logo or resources to advocate for the public to take a position on an election matter.

On March 31, 2017 at 4:11 pm, DLANC President, Patti Berman, emailed Unite DTLA asking them to not use the DLANC logo. (Attachment B) On April 1st, 2017 at 10:35am, Unite DTLA sent out another email removing not only the DLANC logo, but also the PO Box number from the original email, which was DLANC's. (Attachment C) Ms. Berman told the Department that

she did not know who Unite DTLA is and that she only replied to the email address on the Unite DTLA email.

The preliminary results of the election is 766 yes votes for subdivision and 826 no votes for subdivision when provisional votes were counted.

Election Challenges

In the three challenges submitted by General Jeff Page, the main contention is that DLANC used a "front organization" called Unite DTLA and sent out a "Vote No" email campaign using the DLANC MailChimp account. According to General Jeff Page, the aforementioned first email sent by Unite DTLA on March 31, 2017 used DLANC's logo, mailing address and a web address (URL) for contacting the sender on the bottom of the email under the phrase "why did I get this?"

The challenges included witness statements, supporting documents, and a link to the video.

Because the challengers supporting materials are the same and only apply to the challenge regarding Campaign Material Issues, the Department recommends dismissal of Challenge #104 because the Neighborhood Council board did not officially endorse any actions and Challenge #105 because there was no electioneering by the Applicant.

The applicable election challenge in this matter is for the explicit use of City logo(s) for Campaign materials by Candidate(s), including LA City, EmpowerLA logo, Neighborhood Council logo and any other City department logo. For this challenge to be valid, the Election Challenge Panel would have to find that DLANC or someone with access to DLANC's MailChimp sent the initial Unite DTLA email from DLANC's account using their logo and resources and that this made a difference in the election results.

<u>Findings</u>

The Department's findings are inconclusive in this matter despite researching the challenge allegations.

In order to determine whether the Unite DTLA email came from DLANC's MailChimp account, we requested the following information from Ms. Berman

- 1. Copies of any emails that she sent to Unite DTLA. (Attachment B) there was only the one aforementioned email.
- 2. List of the names of the people ("Users") who have access to the DLANC MailChimp account. (user types "author," "manager," and "admin") (Attachment D) this showed only two people with access to the MailChimp: Ms. Berman and Amara Ononiwu

- 3. List of the contacts in the "Voters List" data in the DLANC MailChimp account. (Attachment E) this showed the types of subscriber lists, and there was not one called "Voters List," which appears if you click "why did I get this?" in the original Unite DTLA email, but such subscriber lists can be deleted.
- 4. Activity reports for the DLANC MailChimp account for March 31, 2017 through April 6, 2017. (Attachment F) this showed no campaigns for a Unite DTLA, but such activity can be deleted.

In order to determine whether the Unite DTLA came from DLANC or whether a third party created a Unite DTLA to look like DLANC, the Department attempted to register as a new user on MailChimp to see if we are able to utilize the DLANC URL and database.

The Department tried creating an account with the Username: "DLANC," but a message came back stating: "Another user with the username already exists." Therefore, Usernames have to be unique.

The Department discovered, however, that the registered company names and URLs do not have to be unique. In other words, a third party could create a MailChimp campaign using DLANC as its company name and URL. When the URL was used in the unsubscription process and links for the first Unite DTLA email, it linked back to the DLANC website and had the same URL for the "why did I get this?" link as another email known to be sent by DLANC. This result could be as alleged by the challenge that the email came from DLANC's MailChimp account, or a third party can create this result by copying all of DLANC's information from public emails they've sent from MailChimp.

In the second Unite DTLA email, the URL was changed as well as the PO Box address and did not go to the DLANC website anymore. The Department was also able to recreate this result as well with our test account.

Because anyone can register any URL on MailChimp, the use of such links is inclusive because it supports both options that the original Unite DTLA email came from DLANC or that it came from a third party instead.

Another difference noted between the original Unite DTLA email and a known public DLANC email is that there is a hashtag before the PO Box number in the Unite DTLA email and not one in the DLANC email. If the Unite DTLA email was generated from the DLANC MailChimp account, the address was typed in with the addition of a hashtag.

It is unknown how many people who received the initial Unite DTLA voted no for subdivision in the election because they received that email. The majority of the 1590 who voted, however, did vote after March 31, 2017, and there is a 60 vote difference between the winning No side and the Yes side.

ATTACHMENT A

Subject: Fw: Fwd: Vote NO on Skid Row Separation

From: Katherine Mcnenny (katherine.trees@yahoo.com)

To: issuesandsolutions@yahoo.com;

Date: Sunday, April 9, 2017 3:48 PM

----- Forwarded message -----

From: Unite DTLA <Unite DTLA@gmail.com>

Date: Fri, Mar 31, 2017 at 11:24 AM

Subject: Vote NO on Skid Row Separation

To:

UNITE DOWNTOWN

Vote NO on Skid Row Separation



Neighborhood Council Election & Voter Registration



Click the icon for Voter Registration to vote online!

Deadline to register online is Sunday, April 2, 2017 at 11:59PM

Don't delay, register now!

Thank you for believing in Downtown!

Copyright © Unite DTLA 2017

Want to change how you receive these emails?
You can <u>update your preferences</u> or <u>unsubscribe from this list</u>

This email was sent to
why did I get this? unsubscribe from this list—update subscription preferences
Unite DTLA P.O. Box #13096 Los Angeles, Ca 90013 - USA

Hancust Het manage.com/ voca on Fluesbook Nebran-Bell Veces (2.12 x Zechollsbook 2.00) Hancus sector has be

About Voters

Unsubscribe

0

Update Profile

You were subscribed to this list because:

P.O. Box #13096 Unite DTLA DTLA Neighborhood Council Election. You are receiving this email because you reside within the designated area to vote in the

Add us to your address book

Los Angeles, Ca 90013

ATTACHMENT B

patti.berman@dlanc.com

From:

patti.berman@dlanc.com

Sent:

Friday, March 31, 2017 4:11 PM

To:

'UniteDTLA@gmail.com'

Subject:

Our logo

To whom it may concern:

It has come to my attention that you are using the DLANC logo in emails. Please do not use this logo as it is a violation of City policy.

Thank you

Patti Berman President Downtown L.A. Neighborhood Council DLANC







Thomas Soong <thomas.soong@lacity.org>

Fwd: Vote No on Skid Row Separation

2 messages

Brett Shears brettshears2020@gmail.com
To: Thomas Soong Thomas.Soong@lacity.org

Fri, Apr 28, 2017 at 3:39 PM

----Original Message-----

From: DTLA United <DTLAUnited@gmail.com>
To: Brett

Strettshears2020@gmail.com>

Sent: Sat, Apr 1, 2017 10:35 am

Subject: Vote No on Skid Row Separation

United Downtown

Vote NO on Skid Row Separation



Neighborhood Council Election & Voter Registration



Click the icon for Voter Registration to vote online!

Deadline to register online is Sunday, April 2, 2017 at 11:59 PM

Don't delay, register now!

Thank you for believing in a United Downtown!

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DTLA United · PO BOX · Los Angeles, CA 90071 · USA



Brett Shears Contact Info Cell: (562) 447-8739

DLANC

Users

Users in DLANC

DLANC You dlanc@dlanc.com · DLANC · owner

Amara Ononiwu Amara.ononiwu@dlanc.com · amaradlanc · manager

Lists

•	DLANC 2016 Election Candidate Created Mar 25, 2016 10:55 am No rating yet	44 Subscribers	62.2% Opens	1.5% Clicks
•	Committee Heads Created Apr 28, 2013 4:33 pm No rating yet	6 Subscribers	0.0% Opens	0.0% Clicks
•	Community DLANC Created Apr 28, 2013 4:30 pm No rating yet	36 Subscribers	8.6% Opens	0.3% Clicks
•	DLANC Board Created Apr 28, 2013 4:27 pm No rating yet	24 Subscribers	0.0% Opens	0.0% Clicks
•	Executive Committee Created Apr 28, 2013 4:21 pm No rating yet	4 Subscribers	0.0% Opens	0.0% Clicks
	General DLANC Mailing List Created Oct 26, 2012 11:03 am	1,127 Subscribers	20.9% Opens	3.4% Clicks

4/14/2017

ATTACYMENT F

Reports | MailChimp



Outreach Meeting 4.3.17 Regular • General DLANC Mailing List Sent on Mon, Apr 03, 2017 5:44 pm	544 Subscribers 0.2% Clicks	22.1% Opens
	547	21.1%
DLANC Outreach Committee Newsletter Regular • General DLANC Mailing List Sent on Sat, Apr 01, 2017 5:00 pm	Subscribers 2.4% Clicks	Opens
LAPD Community Forum on Homelessness Regular • General DLANC Mailing List Sent on Tue, Mar 28, 2017 9:33 am	624 Subscribers 0.2% Clicks	22.8% Opens
DLANC Outreach Committee Newsletter Regular • General DLANC Mailing List Sent on Tue, Mar 21, 2017 5:01 pm	549 Subscribers 1.3% Clicks	18.7% Opens
DLANC Livability Committee Newsletter Regular • General DLANC Mailing List Sent on Tue, Feb 21, 2017 5:01 pm	593 Subscribers 1.5% Clicks	19.2% Opens

591

Cubccribare

22.5%

DLANC Livability Committee

Movedottor

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> GRAYCE LIU GENERAL MANAGER

www.EmpowerLA.org

May 19, 2017

General Jeff Page 1626 Wilcox Avenue #924 Los Angeles, CA 90028 issuesandsolutions@yahoo.com **SENT VIA EMAIL**

Re:

Skid Row Neighborhood Council Subdivision Election Challenges

Dear Mr. Page:

We received the attached recommendations from the May 3, 2017 Election Challenge Panel on the following election challenges filed by you for the April 6, 2017 Skid Row Neighborhood Council Subdivision Election:

- Challenge #103: Explicit Use of City logo(s) for Campaign Materials by Candidate(s)
- Challenge #104: Neighborhood Council Board Endorsement
- Challenge #105: Electioneering by Applicants

In short, the Election Challenge Panel upheld your election challenges and recommended the following remedy for all of the challenges:

Within 60 days, there shall be an independent investigation to determine if any laws were broken and how many votes were affected; if the number of votes affected is greater than the vote difference in the election, then the election result shall be overturned. Within 90 days, if the election result is not changed after the investigation above, then the election shall be held again, without online voting.

After careful review of the Election Challenge Panel's recommendations and with much appreciation for the time and thoughtfulness the panel put into their consideration of the challenges, the Department of Neighborhood Empowerment (Department) will not accept the Election Challenge Panel's recommendations and will certify the April 6, 2017 election results as final.

Per Section XII of the Subdivision Election Manual, the supporting documentation for election challenges must prove that the alleged challenges are not only valid, but would also have made a difference in the election challenge in order for the Election Challenge Panel to have the factual basis to uphold the challenges. The factual basis was not met for any of the challenges for the following reasons:

Page 2 of 3
May 19, 2017
Page Election Challenges Determination Letter

No Proof of Explicit Use of Downtown Los Angeles Neighborhood Council Logo by Candidate

Challenge #103 alleged that because the Downtown Los Angeles Neighborhood Council (DLANC) anonymously sent an email with its logo under the Unite DTLA email on a "Vote No" email campaign, this met the criteria of the election challenge for explicit use of City logo(s) for campaign materials by candidates. During the Election Challenge Panel Hearing, the Department testified that based on its testing of a Mail Chimp account, any third party could have used the DLANC email so it was inconclusive whether DLANC sent the email. The Election Challenge Panel, however, did not focus on the key issue of whether the email came from DLANC. Instead, the Panel determined that because DLANC failed to send an email to its stakeholders clarifying that the Unite DTLA email did not come from DLANC, DLANC had implicitly allowed a "candidate," which the panelists determined could be the "No" side of the subdivision vote, to use their logo.

The election challenge specifically states the "explicit" use of the logo, and there was no conclusive evidence showing that DLANC used its logo to send out a "Vote No" vote campaign email on its Mail Chimp account or that it allowed a candidate to use its logo. In fact, DLANC President Patty Berman specifically told the Unite DTLA to remove the DLANC logo within hours of the original email being released, and it was removed within a day when a new "Vote No" email was sent out again by Unite DTLA.

No Neighborhood Council Board Endorsement

Challenge #104 alleged that because DLANC anonymously sent an email with its logo under the Unite DTLA email on a "Vote No" email campaign, this also met the criteria of the election challenge for Neighborhood Council board endorsement. Again, the Election Challenge Panel found that the DLANC board had endorsed the "Vote No" email campaign by failing to send an email out to its stakeholders stating that the original Unite DTLA "Vote No" email with the DLANC logo had not been sent by DLANC. During the Election Challenge Panel Hearing, the Department stated in its report that this challenge should be dismissed because it applies to situations where Neighborhood Councils take action at a meeting to endorse a position or candidate. DLANC never took action on the Skid Row Neighborhood Council subdivision so there was no Neighborhood Council board endorsement in this case.

No Electioneering by the Applicant

Challenge #105 alleged that because DLANC anonymously sent an email with its logo under the Unite DTLA email on a "Vote No" email campaign, this also met the criteria of the election challenge for electioneering by the applicant. The majority of the Election Challenge Panel in a split vote found that the word "applicant" applied to DLANC. In this situation, however, the applicant would be the Skid Row Neighborhood Council Forming Committee and not DLANC. Further, electioneering refers to actions taken while at the polling location or Pop-Up Polls and does not apply to the Unite DTLA "Vote No" email since that was part of an election campaign. Therefore, there was no electioneering by the applicant.

No Evidence the Challenges Made a Difference in the Election Outcome

After two of the eleven provisional votes were counted (we did not receive the necessary documentation for the uncounted provisional votes), the unofficial canvass of votes for the Skid Row Neighborhood Council subdivision election was 766 yes for subdivision and 826 no for subdivision. Even if all of the challenges were found to be valid, in order for the challenges to be upheld, evidence must be presented that at least 60 people were influenced by the Unite DTLA "Vote No" email campaign to have changed their votes from "yes" to "no," and there was

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Page Election Challenges Determination Letter

no evidence supporting this finding. No one testified that they'd changed their vote from "yes" to "no" because of the Unite DTLA "Vote No" email campaign with the DLANC logo. There was no evidence presented to show how many people even received the Unite DTLA "Vote No" email campaign with the DLANC logo, which was replaced within a day by another "Vote No" email without the DLANC logo by Unite DTLA so the effect of the first email was likely minimal in the overall campaign. Therefore, there was no factual basis to determine that the election challenges would have made a difference in the final election results.

Inappropriate Remedy

Even if the election challenges were to be upheld, the Election Challenge Panel remedy did not follow the Subdivision Election Manual section on challenge remedies, which are to be narrowly interpreted to affect only the voters, candidates, or seats affected. The Election Challenge Panel requested an investigation of the origin of the emails even after the Department and the City Attorney's Office stated that there could be no further investigation of the matter. This would result in the second part of their remedy, which was to redo the entire election. Redoing a Neighborhood Council election can only be considered if a valid challenge affected every seat on the ballot. In this matter, the Department would only consider a new election if every vote was affected. The Election Challenge Panel determined that because approximately 80% of the votes were cast online, the Unite DTLA "Vote No" email affected most of the votes though not all. Therefore, the remedy of redoing the election is not appropriate for these challenges even if they were determined to be valid.

Conclusion

While the final result of your election challenges determination does not result in the formation of a Skid Row Neighborhood Council at this time, this outcome does not mean a Skid Row Neighborhood Council Subdivision Petition cannot be filed again the next time the Department accepts applications. The current schedule to open the application process for Neighborhood Council subdivision is October 2018, but this timeline could change to later this year if the 2018 Neighborhood Council elections are pushed to 2019. We would be happy to work with you and the Skid Row Neighborhood Council Forming Committee to file your Subdivision Petition again.

Please let me know if you have any questions by emailing me at Grayce.Liu@lacity.org or by calling (213) 978-1551.

Sincerely,

Grayce Liu General Manager

Department of Neighborhood Empowerment

Cc: Darren Martinez, Deputy City Attorney, Office of the City Attorney

Mike Fong, Director of Policy and Government Affairs, Department of Neighborhood

Empowerment

Downtown Los Angeles Neighborhood Council Board



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E-mail: NCSupport@lacity.org <u>www.EmpowerLA.org</u>



Election Challenge Panel Determination

Challenger Name: General Jeff Page

Neighborhood Councils: Forming Skid Row Neighborhood Council

Downtown Los Angeles Neighborhood Council

Challenge Number: 103

Challenge Basis: Explicit Use of City logo(s) for Campaign Materials by Candidate(s) - including LA City

logo, EmpowerLA logo, Neighborhood Council logo, and any other City department logo

Date of Review: May 3, 2017

Election Challenge Panel Members

Carlos Ferreya, Greater Valley Glen Council
David Greene, Eagle Rock Neighborhood Council
Pamela Thornton, Harbor Gateway North Neighborhood Council

Person filing challenge

General Jeff Page

Department of Neighborhood Empowerment Report

Vote

Sustain

Sustain

Sustain

Grayce Liu, General Manager

Person(s) challenged present

Patricia Berman, Downtown Los Angeles Neighborhood Council Robert Newman, Downtown Los Angeles Neighborhood Council Amara Ononiwu, Downtown Los Angeles Neighborhood Council

Determination

Explicit Use of City logo(s) for Campaign Materials by Candidate(s) – including LA City logo, EmpowerLA logo, Neighborhood Council logo, and any other City department logo

X Sustained

Dismissed

After General Jeff Page's presentation, the Downtown Los Angeles Neighborhood Council (DLANC) board members' testimonies, the Department of Neighborhood Empowerment (Department) report, and over 50 public comments, the Election Challenge Panel unanimously found that the use of the DLANC logo by the Unite DTLA "Vote No" email and DLANC's failure to take substantial action to provide clarification that this email was not from DLANC supported the election challenge.

The Panelists agreed that there were two candidates in this race: the yes side and the no side. Therefore, the No side used the DLANC logo in violation of the Neighborhood Council Subdivision Election Manual. In determining a remedy, the Panelists agreed that because this was an email and because online voting accounted for approximately 80% of the vote, a majority of the votes were affected, which allowed them to consider the remedy for throwing out the results and having a new election. They chose not to disqualify any No votes without further evidence that people who received the Unite DTLA "Vote No" were affected by the use of the DLANC logo. They further found that online voting favored those outside of the forming Skid Row Neighborhood Council boundaries.

The Election Challenge Panel's remedy to the Department of Neighborhood Empowerment is: The Election Challenge Panel combined the remedies for challenges #103, 104, and 105 to:

Within 60 days, there shall be an independent investigation to determine if any laws were broken and how many votes were affected; if the number of votes affected is greater than the vote difference in the election, then the election result shall be overturned. Within 90 days, if the election result is not changed after the investigation above, then the election shall be held again, without online voting.

The Election Challenge Panel recommendation will now be reviewed by the Department for a final determination on the matter.



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Election Challenge Panel Determination

Challenger Name: General Jeff Page

Neighborhood Councils: Forming Skid Row Neighborhood Council

Downtown Los Angeles Neighborhood Council

Challenge Number: 104

Challenge Basis: Neighborhood Council Board Endorsement

Date of Review: May 3, 2017

Election Challenge Panel Members

Carlos Ferreya, Greater Valley Glen Council David Greene, Eagle Rock Neighborhood Council Pamela Thornton, Harbor Gateway North Neighborhood Council Vote Sustain Sustain

Sustain

Person filing challenge

General Jeff Page

Department of Neighborhood Empowerment Report

Grayce Liu, General Manager

Person(s) challenged present

Patricia Berman, Downtown Los Angeles Neighborhood Council Robert Newman, Downtown Los Angeles Neighborhood Council Amara Ononiwu, Downtown Los Angeles Neighborhood Council

Determination

Neighborhood Council Board Endorsement

X Sustained

Dismissed

After General Jeff Page's presentation, the Downtown Los Angeles Neighborhood Council (DLANC) board members' testimonies, the Department of Neighborhood Empowerment (Department) report, and over 50 public comments, the Election Challenge Panel unanimously found that DLANC's failure to take action by sending an email to their voter database to clarify that the Unite DTLA "Vote No" email using the DLANC logo was not from DLANC indicated implicit Neighborhood Council board endorsement of that position even though the DLANC never took a position on the Skid Row Neighborhood Council subdivision. This failure to provide clarification created voter confusion in violation of the Neighborhood Council Subdivision Election Manual.

The Election Challenge Panel's remedy to the Department of Neighborhood Empowerment is:

The Election Challenge Panel combined the remedies for challenges #103, 104, and 105 to: Within 60 days, there shall be an independent investigation to determine if any laws were broken and how many votes were affected; if the number of votes affected is greater than the vote difference in the election, then the election result shall be overturned. Within 90 days, if the election result is not changed after the investigation above, then the election shall be held again, without online voting.

The Election Challenge Panel recommendation will now be reviewed by the Department for a final determination on the matter.



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Election Challenge Panel Determination

Challenger Name: General Jeff Page

Neighborhood Councils: Forming Skid Row Neighborhood Council

Downtown Los Angeles Neighborhood Council

Challenge Number: 105

Challenge Basis: Electioneering by Applicants

Date of Review: May 3, 2017

Election Challenge Panel Members

Carlos Ferreya, Greater Valley Glen Neighborhood Council David Greene, Eagle Rock Neighborhood Council

Pamela Thornton, Harbor Gateway North Neighborhood Council

Vote

Sustain Dismiss

Sustain

Person filing challenge

General Jeff Page

Department of Neighborhood Empowerment Report

Grayce Liu, General Manager

Person(s) challenged present

Patricia Berman, Downtown Los Angeles Neighborhood Council Robert Newman, Downtown Los Angeles Neighborhood Council Amara Ononiwu, Downtown Los Angeles Neighborhood Council

Determination

Electioneering by Applicants

X Sustained

□ Dismissed

After General Jeff Page's presentation, the Downtown Los Angeles Neighborhood Council (DLANC) board members' testimonies, the Department of Neighborhood Empowerment (Department) report and over 50 public comments, a majority of the Election Challenge Panel determined that there was electioneering by the applicant because they thought the word "applicant" applied to DLANC. The majority of the Election Challenge Panel found that the Unite DTLA "Vote No" email to an unknown and undetermined number of voters qualified as electioneering in violation of the Neighborhood Council Subdivision Election Manual.

The Election Challenge Panel's remedy to the Department of Neighborhood Empowerment is:

The Election Challenge Panel combined the remedies for challenges #103, 104, and 105 to: Within 60 days, there shall be an independent investigation to determine if any laws were broken and how many votes were affected; if the number of votes affected is greater than the vote difference in the election, then the election result shall be overturned. Within 90 days, if the election result is not changed after the investigation above, then the election shall be held again, without online voting.

The Election Challenge Panel recommendation will now be reviewed by the Department for a final determination on the matter.

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> GRAYCE LIU GENERAL MANAGER

www.EmpowerLA.org

January 19, 2018

Honorable David E. Ryu, Chair Health, Education, and Neighborhood Council Committee Councilmember, Fourth District Los Angeles City Hall 200 N Spring Street, Room 425 Los Angeles, CA 90012

SUBJECT: REPORT BACK ON COUNCIL FILE 15-1022-S2 REGARDING THE NEIGHBORHOOD COUNCIL SUBDIVISION ONLINE VOTING

Honorable Committee Chair Ryu:

SUMMARY

On March 24, 2017, the City Council approved online voting for the Skid Row Neighborhood Council subdivision election on April 6, 2017 with a request on the report back of recapping the experience with any recommendations. Within 4 days, the Department of Neighborhood Empowerment (Department) working with the online vendor, Everyone Counts (E1C), opened online voter registration for the subdivision election for stakeholders of the Downtown Los Angeles Neighborhood Council (DLANC) and Historic Cultural Neighborhood Council (HCNC). In addition, the Department contacted the registered voters from the 2016 Neighborhood Council elections for both DLANC and HCNC to notify them of the opportunity to vote online for the subdivision.

Despite the short time frame to register voters before the election and complications with turning around voter approvals, the online voting for the subdivision was successful with a total of 1,388 votes of which 1,186 were cast via online voting. The Department has detailed the process, including mistakes, lessons learned and recommendations in Attachment A. Because of this success, the Department requests online voting for any subdivision elections in 2018 to allow for further perfecting of the online voting platform to prepare for possible use in the 2019 Neighborhood Council elections.

The Department has received four applications for subdivision after the application period closed on January 15, 2018. They are as follows:

- 1. North Westwood Neighborhood Council from Westwood Neighborhood Council
- 2. North Historic Cultural Neighborhood Council from Historic Cultural Neighborhood Council

Report Back on CF 15-1022-S2 Page 2 of 2 January 19, 2018

- 3. Little Bangladesh Neighborhood Council from Wilshire Center Koreatown Neighborhood Council and Rampart Village Neighborhood Council
- 4. Laurel Grove Neighborhood Council from NoHo Neighborhood Council and Greater Valley Glen Council.

If all of these applications were to move to the election phase, only Historic Cultural Neighborhood Council has had online voting in the past. The Department believes that online voting and voter registration are crucial in providing additional ways to engage stakeholders in the subdivision elections so registering and voting online should be offered to the other Neighborhood Councils as well.

In reviewing the subdivision applications, the Department will incorporate the Board of Neighborhood Commissioners' recommendations for changing the subdivision Ordinance Sec 22.819 of the Los Angeles Administrative Code. See Attachment B. These recommendations are an improvement to the current subdivision regulations by allowing the Board of Neighborhood Commissioners to be a part of the subdivision approval process and increasing outreach about the subdivision. The Department anticipates any subdivision elections to begin no earlier than late April and to finish by July 1, 2018.

RECOMMENDATIONS

- INSTRUCT and AUTHORIZE the Department of Neighborhood Empowerment and the Office of the City Clerk to enable the online voting platform for the 2018 Neighborhood Council subdivision elections.
- REQUEST the Office of the City Attorney to make changes to Los Angeles
 Administrative Code Section 22.819 to incorporate the recommendations of the Board of
 Neighborhood Commissioners November 7, 2017 letter regarding Neighborhood Council
 Subdivisions.

FISCAL IMPACT

There is no additional fiscal impact to the General Fund as the Department will utilize funding in its current fiscal year budget to conduct subdivision outreach and elections.

I am available to answer any other questions you may have on this matter.

Sincerely,

Grayce Liu General Manager

ATTACHMENT A

Skid Row Neighborhood Council Subdivision Online Voting Report

Overview

City Council approved the use of online voting on Friday, March 24, 2017. Online voter registration was opened on the EmpowerLA website on Tuesday, March 28, 2017, at 7 pm, which was one day after the Department of Neighborhood Empowerment's initial estimate. The online voter registration portal closed on Saturday evening at 10:00 pm Mountain Time and was reopened at 10:52 Mountain Time. The registration was open, but the landing page was accidentally scheduled to close with the incorrect date and time.

The Skid Row Neighborhood Council subdivision election was conducted in accordance with the election procedures of the councils that were proposed for subdivision: Downtown Los Angeles Neighborhood Council (DLANC) and Historic Cultural Neighborhood Council (HCNC). Both councils conducted their 2016 elections as documentation elections with online voting and a minimum age of 16 for DLANC and 15 for HCNC. In compliance with the citywide policy, the homeless were able to self-affirm their identity and stakeholder status.

There were six Pop-Up Polls (PUP) that took place in different neighborhoods on:

- Wednesday, March 29, 2017
- Thursday, March 30, 2017
- Friday, March 31, 2017
- Monday, April 3, 2017
- Tuesday, April 4, 2017
- Wednesday, April 5, 2017

In addition, voters could visit the EmpowerLA office on those days and vote online between the hours of 1pm and 4pm.

Voters who visited a Pop-Up Poll, in the field or at City Hall, registered to vote by offering their documentation to the staff that verified their identity and their stakeholder status. Once verified, they were given their credentials (username and pin) and were able to vote on a tablet. Staff kept the registration form but did not copy or keep the documentation.

Voters who registered online were prompted to upload their documentation verifying their identity and their stakeholder status. The data went to Everyone Counts (E1C), which batched the data and uploaded it to a secure FTP site each morning so that Department staff could review the documents and verify the voters. The documents were deleted after review and at the end of the day, a file was sent to E1C so that credentials could be sent to the voters.

There were six files of online registrations sent to Department and six files of verifications sent to E1C for credentials and the process was audited for accuracy.

Voters who registered online but did not include appropriate documentation were sent an email directing them to visit a PUP or the polling location on Election Day. The short timeline did not

Report Back on CF 15-1022-S2 Attachment A Page 2 of 9 January 19, 2018

allow for back and forth exchanges in order to verify voters. There were 303 voters who registered online, but did not receive credentials due to deficient documentation.

Overall:

- 1095 voters from the 2016 elections for DLANC and HCNC were sent credentials
- 1886 voters registered online, either at home, at a Pop Up Poll, or at the Polls
- 83% of the voters who registered were verified and sent credentials
- 60% of the voters with credentials used them to vote

On election day at the Polling location, there were greeters outside the building with clipboards, pens, and registration forms so that all voters were ready to register when they reached the entrance. There were three verification tables for voters: one for those with identification and documentation, one for identification and registration tables, and one for voters with identification and who were on a roster. There was a fourth table for homeless who were self-affirming their identity and stakeholder status.

Those voters at the first two tables, once verified, would go to one of six credential stations where their data was entered into a tablet, checking their data points (first name, last name, DOB) to ensure that they weren't already registered, hadn't already receives credentials, and hadn't already voted.

Voters with credentials then voted in a voting booth on a tablet. Homeless voters registered on paper and were given a paper ballot. They voted in a voting booth and then deposited their ballot in a ballot box next to the exit.

Issues and Recommendations

There were three mistakes that took place with the registration, verification, and credentialing process:

Error #1: The Department sent E1C two files with voter data from the 2016 elections for DLANC and for HCNC. Each file had two tabs for a total of four data sets. E1C opened both files and captured the data from the top tabs but missed the second tab on each file. The Department emailed all voters to let them know their credentials were coming and received some bounces. E1C emailed the credentials and received a small number of bounces. The error was discovered when the Department attempted to reconcile the difference in bounces, noticing then that the tabs were the issue.

Remedy: Data transfer should be discussed in advance and protocols established. In this case the data was not refined or organized. Future data sets should have established fields and agreed upon formatting.

Error #2: The Department received incoming files of online registrations and supporting documents on a daily basis. The files were uploaded to an FTP site and were downloaded and then processed, resulting in files of verified voters that were sent back to E1C. The files were named with a date and when the 4/2/17 file was completed, staff closed up shop because voter registration closed on 4/2/17. The assumption was that

Report Back on CF 15-1022-S2 Attachment A Page 3 of 9 January 19, 2018

the 3/29 file was a combination of two days, the 28th and 29th, resulting in a total of five files. In actuality there were six, one for each day starting with 3/29/17 and ending with 4/3/17. On the 4th, an audit revealed the missing file which was quickly verified. **Remedy:** Data transfer should have a notification mechanism so that there are no assumptions. In addition, naming protocols should be established so that both teams can quickly locate, sort, and share files.

Error #3: The Department verified voters during the day and emailed the resulting voter data to E1C, without notifications, and on Friday the 31st, the voter registration date for the 30th was processed and emailed. The next week, it was noticed that the complaints over missing credentials were predominantly from the 30th which prompted an audit and the missing file was located in an unopened email.

Remedy: Establish a process that eliminates the transfer of files and allows for a shared process for incoming registrations, for verification, and for audits so that the need to exchange flat files ended.

In general, a way to cross check information with E1C must be established. The elections team can only track voters when they have all of the information available to them. As an example, when staff receives an email asking for a username and pin, they can only know that it was sent.

Documentation

The Skid Row Neighborhood Council subdivision elections was a documentation election and the daily files from E1C included the documents that were uploaded during the registration process. The documents were in chronological order and were deleted when the verification process was completed.

Trouble understanding the paperwork requirements for documentation elections is the #1 reason for failed voter registrations.

In the Skid Row election, 698 new voters attempted to register remotely, using the online Voter Registration Portal from their personal smartphone, computer or tablet. Of this group, there were 382 successful registrations, and 316 unsuccessful registrations in which the voter could not be verified - a failure rate of 45%.

Almost without exception these voters could not be verified because of documentation issues. If nearly half the voters cannot successfully navigate the documentation registration process, this is a strong argument against documentation requirements altogether.

Recommendation

As long as documentation is allowed in NC elections, it is vital to provide better guidance to the voter trying to navigate registration from home on their computer or smartphone. One solution would be to create a Documentation Chooser that guides a person through selecting the correct documentation for their specific situation. This could be done as both an online app that links to

Report Back on CF 15-1022-S2 Attachment A Page 4 of 9 January 19, 2018

the registration page, and as a printed flowchart that could be posted at polling locations. The voter could begin by selecting whether they are Live/Work/Own/Community Interest, and then move through successive stages to choose the document(s) they need to submit.

Currently, even though the Department is offering links to document lists, voters are either not using them at all, or not using them right. This may be because the lists are too bewildering to be useful as they present a lot of extraneous info not pertinent to a specific individual's situation, or it may be because voters erroneously believe they have done things correctly already, and don't bother to review the documentation lists. For example, a common mistake was entering a business address without uploading a document like a business card to substantiate the individual's tie to that business.

If the registration process was set up so that it was mandatory to pass through this document selection process, the rate of successful registrations would skyrocket.

Rosters

There were 26 rosters with 4090 names, submitted by employers and organizations so that their employees, members, and volunteers could vote. The process for assembling and submitting rosters was addressed at the public meetings, online, and in emails to those who requested assistance with the documentation process.

One organization, the Democratic Socialists of America (DSA), declined the opportunity to submit a roster and instead sent an email to its membership, giving them instructions on how to register online and how to qualify to vote. DSA members uploaded a screenshot of their emailed instructions and then gave 801 East 4th Place as their qualifying address. Unfortunately, this amounted to self-affirmation for the voter's stakeholder status since the voter did not offer any documentation that the DSA had an address where they met or conducted their business.

The Election Team's verification staff searched the internet for any evidence that the DSA was active within the DLANC/HCNC/SRNC boundaries but found nothing. There were twenty DSA members that registered online, they all received emails informing them that they would need to bring their documentation to a Pop Up Poll or to the polling location on Election Day.

The leadership of the DSA protested and the ELA staff explained that entering an address on the registration form did not constitute documentation that the organization had "an ongoing and significant" participation within the community and that it was incumbent on the organization to provide an address and a membership roster so that the staff could use that to verify voters.

The DSA subsequently sent an agenda for a meeting that took place on March 18, 2017 with an address of 801 East 4th Place, LA 90013. They also sent another email which indicated that the next meeting would be held on April 15, 2017 at the same location. There were six DSA members that were issued voting credentials.

Rosters provide a solution to documentation challenges and should be encouraged. That said, the rosters also take the time of our PUP poll workers, especially when the rosters are

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unorganized or not in alphabetical order. Further complicating matters was that rosters were being sent in electronically as the PUPs were taking place or, after the team had already left ELA. There were times where we could look a roster up by email, but this process slows a line and frustrates a voter.

Recommendation

Printed rosters should be collected and available only on election day when we are properly staffed. As part of the election outreach for Neighborhood Councils who require documentation, verification letters (PDF or printed) should be the standard documentation for both documentation uploads and also PUPs.

Because there seems to be ongoing confusion about the format and the wording of the letters, the elections team could provide different Community Interest Stakeholder letter formats that are applicable to a business, an organization, a school and that are field editable and available online.

PUPs

There was a tremendous amount of feedback about PUPs. Specifically, who hosts them, were they are located, and the time they are open. Despite some of the feedback, the Department had very successful PUPs, two with over 100 voters. Because PUPs allow the opportunity to bring the election to the voters and out in the community, they serve an important purpose.

There were campaign advocates at most of the PUPs expressing their opinions from beyond the 25-foot electioneering zone. The challenge for our PUP staff was that 25-feet is close enough for voters and advocates to engage in a conversation. Further, the use of voice amplification was used and we could hear advocates expressing their views inside the polling place.

For Neighborhood Councils that vote with documentation, those who are experiencing homelessness may not have the proper documentation to participate at a PUP. For this reason, the Department heard feedback from both those who are experiencing homelessness and advocates. While the Department did provide flyers at all PUP locations with information about how and when to vote, staff did have to turn away some voters with no documentation with instructions to come to the Poll on election day instead.

Recommendations

One of the ongoing and predominant concerns is host and location bias. In the future, identifying and scheduling the PUP locations could be a responsibility of a Neutral Third Party (NTP) rather than candidates or choice. Further, there could be a limit on the number of PUPs per week for an Neighborhood Council or, per election or, number of open polling hours. Also, staffing needs to be considered carefully to ensure there are enough people to assist voters. Staff also need to investigate the PUP locations ahead of time to make sure they are safe.

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PUPs are becoming polling locations. Each PUP should have proper signage posted for what is required to vote (documentation vs. self affirming), electioneering signage, and properly staffed. Keep polling place/ PUP electioneering rules consistent at 100 feet.

A solution needs to be found where staff can verify and vote homeless stakeholders at all polling locations, including PUPs. If it were possible through the E1C portal, homeless stakeholders at PUPs with one form of photo ID could be verified as a "homeless stakeholder", and then entered as a voter, but noted as a homeless stakeholder. This could be done in either a new field or, as part of the voter documentation verification field.

Technology

If a voter has all of their documentation, the data entry at PUPs is the most time consuming part of the voter process. However, if the poll worker needs to walk a voter through the documentation process, then that could be the most time consuming part of the process. Therefore, because this was a documentation election, staff added a document review/ voter verification step at both the PUPs and the election to regulate the line, and streamline the voting process.

Recommendation

When PUPs have a small number of voters, working from the tablet with a working keyboard is adequate. However, when a keyboard is not working or there are a large number of voters, the process is quicker and more accurate when staff work from laptops.

Audits

In addition to routine audits, the Department sent the names of 16 voters who claimed they had no credentials to verify that credentials had been sent. The audit revealed that the emails with the credentials had been sent. Because of the short turnaround, there wasn't the time to conduct outreach on spam folders, etc. so the fastest solution to "I didn't get my credentials!" was to look them up, find their credentials and send them again.

Recommendations

Online voting with Documentation is simply cumbersome and creates an obstacle that is difficult to overcome. Voters struggled to document their stakeholder status and the result was 26 rosters that were being updated daily, resulting in over 4000 names. This added a burdensome process to the mix, requiring staff at online verification, Pop-Up Polls, and at the polling location to check rosters that ranged in size from a dozen names to almost a thousand, in order to verify the voters. This would be unnecessary if the online elections were self-affirmation though online voters would still need to establish their identity somehow.

E1C/ Searchable Data

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Important feedback from poll workers was that when a birth date is searched, you can look in two different formats 01/01/2000 or 01/01/00, and depending on how it was originally entered, you will get different results. In other words, if you are looking for a voter whose birthday is 01/01/2000 but you enter 01/01/00, the search would **not** yield any results. Unless you enter the birthday in the format that it was originally entered, the person may not be found.

Recommendation

Based on what we learned, E1C should only allow for one birthday date format.

Skid Row Election Day

For election day, staff anticipated and prepared for 1000 self-affirming homeless stakeholders who would vote by ballot. However, on election day, the majority of voters were prepared with documentation or, were on a roster and therefore were voted through E1C.

To prepare for a large turnout, staff organized the flow of the room to make the process both as logical and as efficient as possible. Further, staff reorganized the team as needed, and added tablets throughout the day to adjust for our needs and the large number of e-voters. By the time a voter reached the entry door of the polling place, they were prepared with their registration form and documentation, they were met with a welcome, and then directed to know where to go next.

While there was a line for most of the day, staff successfully voted 614 stakeholders and moved the line as quickly as possible. As the day progressed, the election team was working efficiently to organize and prepare our voters, regulate the flow of voters, and work with our voters at each step of the way and answer their questions.

Recommendations

The setup and the flow of the room is a major factor in deterring voter experience at both PUPs and on election day. In having the additional voter verification step before the voter registration and credential step, staff then free the registration team to focus only only data entry and providing credentials.

The team working with voters at the entry door and providing registration forms plays one of the most important roles of the day. They not only welcome our voters and set the tone, but they prepare them for what they need to have ready and what to expect at the next steps. They play an important role in fielding questions, and diffusing situations before they enter the polling place. One of their most important roles is regulating the flow of voters into the polling place. The energy of a polling place can be easily disrupted when there are voters who have not been properly directed, or informed, therefore this team is essential to the success of the day and the voter experience.

The nature of the not pre-registered, documentation voters is that it takes additional time to verify their documentation, register them in the E1C portal, and provide their voting credentials.

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Going forward, this process may become more efficient as staff can build the voter database. The outcome would be that this process will take less time at each election.

Election or Commission?

There was a significant amount of resources dedicated to the subdivision elections, especially for the online voting Neighborhood Councils=s and with the PUPs. This effort provided the Department, the Neighborhood Councils, and the formation committees the opportunity to connect with many stakeholders, local groups, businesses, organizations, and community interest stakeholders. This effort resulted in successful PUP and Election day.

Over two weeks, the elections team worked with each and every voter with the goal to help them through the process. In addition to elections related questions and issues, staff answered questions about the Department, the role of the elections team, and the role Neighborhood Councils play in their community. At final count, the election team voted 1,388 voters, many of them new to Neighborhood Council elections or re-engaged voters.

Had this process only gone before the Board of Neighborhood Commissioners, the Department would have missed the opportunity to connect with the Neighborhood Council stakeholders, hear what they had to say, answer their questions and engage them in the election process.

Suggestions for Rosters

Rosters would be easier to manage if they were submitted via Google Forms or some other sort of form that would impose a uniform format on materials received, and generate a searchable database. They can be submitted online before a certain deadline (such as 5 pm the day before the official Election Day) but at the polls, only paper submissions should be accepted. Email submissions should not be accepted on Election Day, even if the polls have not yet opened.

Many people who submitted rosters did not understand that their members could only be verified as voters if the roster was received before the voter's registration was reviewed. It is the organization's responsibility to let their members know when the roster has been submitted, and receipt is confirmed. Otherwise, those who register before their roster is received will have to register in person at the Election Day polls. Those points should definitely be underscored in election outreach next time.

Suggestions for Voter Data Entry

Accurate, complete and consistent voter data is vital to carrying voters over from year to year and to streamlining the process of adding voters to the database. A couple small tweaks could assist with the accuracy and speed of data entry when registering voters at the polls.

<u>Dropdown menus</u> for birth dates would create consistent data in that field - something similar to what a liquor company uses on their homepage would be ideal. Dropdown menus or multiple choice lists would actually be very helpful for many other fields as well, such as Live/Work/Own/Community Interest.

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<u>Unused fields</u> on the E1C admin page should be removed altogether, to prevent confusion. For example, there was a "group ID" field at the top of the voter registration page that staff never use, but its presence meant that a voter's username and password would often wind up entered in the wrong fields, invalidating the registration and causing it to have to be done over.

<u>Autofills</u> can save time during voter registration by allowing automatic reentry of repetitive data like addresses of roster organizations, but autofill can also be problematic. For example, the tablets used during the Skid Row election would autofill the word "Email" if you typed "E" for East in an address.

DLANC and HCNC stakeholders who voted in the 2016 NC elections were pre-verified to vote in the Skid Row election, and an email was sent to tell them so. However, 10% of these emails (125 total) bounced, and 37% of those bounced happened because of typos in the email addresses (46 of 125 total bounces). Most of these typos probably occurred because it is difficult to enter voter data accurately and quickly on a tablet when working the polls.

Breaking down the data entry work at the polls into a two-part process would help us keep voters moving through quickly during an election, yet allow us to still create an accurate database. Poll workers can enter minimal information to set a voter's account up to enable them to vote; send the voter on their way to the voting booth; then pass the registration form on to another staff member, who would enter the rest of the information. The data entry staff could work on full-size keyboards to increase the speed and accuracy of their data entry.

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CITY OF LOS ANGELES CALIFORNIA

BOARD OF NEIGHBORHOOD COMMISSIONERS

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GRAYCE LIU

www.EmpowerLA.org

November 07, 2017

Honorable David E. Ryu, Chair Health, Education, and Neighborhood Council Committee Councilmember, Fourth District Los Angeles City Hall 200 N Spring Street, Room 425 Los Angeles, CA 90012

Honorable Committee Chair Ryu:

The Hermon Neighborhood Council was the first successful subdivision in the City of Los Angeles. On May 25, 2017, the Board of Neighborhood Commissioners approved the Hermon Neighborhood Council bylaws in accordance with the Neighborhood Council Subdivision Ordinance Sec. 22.819, paragraph d. During this process, the Commission observed challenges implementing the process of the Subdivision Ordinance and believed should be addressed.

The Commission has held discussions, regarding amendments to the ordinance, on their agendas since our special meeting on July 12, 2017. Neighborhood Council Board Members as well as community stakeholders have commented on the proposed amendments at our meetings since it was first agendized. The text of the proposed amendments have been made available for public comments since our August 3, 2017 special meeting.

At the regular meeting of the Board of Neighborhood Commissioners held on October 16, 2017, we approved the final version of the proposed amendments. At this meeting, your Field Deputy, Mr. Nicholas Greif, stated the Health, Education and Neighborhood Council Committee expected the Commission to provide recommendations to amend the Subdivision Ordinance.

The Department of Neighborhood Empowerment has informed the Commission, they will open the Subdivision Application process in November. The Commission feels this is the appropriate time to submit this matter to your Committee for review and consideration.

The Board of Neighborhood Commissioners respectfully submit the following amendments to Section 22.819 of Article 3 of Chapter 28 of the Los Angeles Administrative Code (Neighborhood Council Subdivision Ordinance) for consideration: (proposed language changes in bold and italic and or strikethrough)

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Proposed amendments to Administrative Code Section 22.819 – Neighborhood Council Subdivision

- (a) Subdivision Petition. A stakeholder within an existing certified Neighborhood Council who desires to form a separate certified Neighborhood Council within the boundaries of one or more existing certified Neighborhood Councils shall submit a subdivision petition to the Department of Neighborhood Empowerment (Department) on a form approved by the Department. The subdivision petition shall identify five stakeholders who are authorized to receive notice and make decisions regarding the subdivision petition, including any bylaw changes. The Department shall review the subdivision petition to determine if the subdivision petition complies with the components of a Certification Application stated in Article III, Section 2 of the Plan for a Citywide System of Neighborhood Councils (Plan), except that the subdivision petition may propose boundaries that are within one or more existing certified Neighborhood Councils. The Department shall notify all affected certified Neighborhood Councils when a subdivision petition is requested. The Department shall also notify all affected certified Neighborhood Councils when a subdivision petition is filed and when any amendment or amendments to the original petition are filed. The petition and any amendments shall be posted on the Department's web site. Notice shall be given to all current board members of the affected certified Neighborhood Councils on file with the Department, and shall include a link to the original petition and any amendments. All such notices shall be accomplished as soon as practicable.
- (b) Outreach. The Department shall be responsible for outreach to both the proposed subdivision and any affected certified Neighborhood Councils. Where possible the Department shall hold informational town hall meetings in both the proposed subdivision area and within the boundaries of any affected certified Neighborhood Councils excluding the proposed subdivision area. Outreach by the Department shall not relieve the proponents of the proposed subdivision of any outreach requirements imposed by the Department.
- (c) Petition, Bylaws and Boundaries. After conducting suitable outreach, but in no event longer than 90 days after final approval of the subdivision petition by the Department, the Department shall forward to the Board of Neighborhood Commissioners (Commission) the approved subdivision petition and the bylaws of the proposed subdivision. Within 30 days the Commission shall hold a hearing in the proposed subdivision area for the purpose of reviewing the subdivision petition and the proposed bylaws and boundaries. The Commission, after making any necessary findings shall approve or disapprove of the subdivision petition. If the subdivision petition is approved, then the Commission is authorized to make any amendments to the bylaws to satisfy Article III Section 2 of the Plan. The Commission is also authorized to make any amendments to the boundaries that it deems necessary to preserve the integrity of the affected Neighborhood Council or Councils and the subdivision.
- (d) Election Approving a Subdivision. The Department shall conduct an election within the boundaries stated in the subdivision petition within 90 days of the Department's approval of the subdivision petition and the bylaws and boundaries. Where possible the Department shall also locate additional poling locations within the boundaries of the affected Certified Neighborhood Councils outside of the proposed subdivision area. A stakeholder is eligible to vote in the election if the person is a stakeholder in the proposed area for subdivision or in any of the Neighborhood Councils that are proposed for subdivision. A majority of the voters from the entire Neighborhood Council or Neighborhood Councils being subdivided must approve the subdivision in order to create the new Neighborhood Council. If, after certification of the election by the Department it is determined that a majority of the stakeholders voting at the election approves of the

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subdivision the Department shall forward the results to the Commission for certification of the subdivision as a Neighborhood Council at its next regular or special meeting.

(e) Bylaws for the Existing Neighborhood Council. If a majority of the stakeholders at the election approve the subdivision, If the Commission certifies the new Neighborhood Council, then the existing certified Neighborhood Council or Neighborhood Councils being subdivided shall amend their bylaws within 30 60 days of the election certification to reflect changes to the boundaries and, if applicable, the board structure. If the existing certified Neighborhood Council or Neighborhood Councils fail to provide amended bylaws within 30 60 days of the election-certification then the Department is authorized to amend the bylaws to reflect any changes to the boundaries or board structure. The Department shall forward the bylaws for any Neighborhood Council that is being subdivided and the subdivision petition to the Board of Neighborhood Commissioners for approval of the bylaws. The Commission is authorized to make any amendments to the bylaws to satisfy Article III Section 2 of the Plan.

Thank you for considering our position and feel free to reach out to our Commission for clarification.

Yours truly,

Joy Atkinson, President

Board of Neighborhood Commissioners

Cc:

Mayor Eric Garcetti

Council President Herb J. Wesson, Jr, Tenth District

Council President Pro Tempore Mitchell Englander, Twelfth District

Council Assistant President Pro Tempore Nury Martinez, Sixth District

Councilmember Gilbert A. Cedillo, First District

Councilmember Paul Krekorian, Second District

Councilmember Bob Blumenfield, Third District

Councilmember Paul Koretz, Fifth District

Councilmember Monica Rodriguez, Seventh District

Councilmember Marqueece Harris-Dawson, Eighth District

Councilmember Curren D. Price, Jr. Ninth District

Councilmember Mike Bonin, Eleventh District

Councilmember Mitch O'Farrell, Thirteenth District

Councilmember Jose Huizar, Fourteenth District

Councilmember Joe Buscaino, Fifteenth District

City Attorney, Mike Feuer

General Manager Grayce Liu, Department of Neighborhood Empowerment

Director of Policy and Government Relations, Mike Fong, Department of Neighborhood

Empowerment

Subject: Case 21817 - [FWD: Re: ELA - Elections]

From: elections@empowerla.org **To**: PRA PRA <ELA.PRA@lacity.org>

Date Sent: Monday, June 11, 2018 10:32:58 AM GMT-07:00 **Date Received**: Monday, June 11, 2018 10:33:31 AM GMT-07:00

*Please submit all Election related challenges within 5 calendar days of the Neighborhood Council Elections. All challenges must be submitted through the EmpowerLA Challenge Portal

Department of Neighborhood Empowerment - Elections Division 200 N. Spring Street, Suite 2005 Los Angeles, CA 90012

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------ Original Message -------Subject: Re: ELA - Elections

From: Dani Charleston < dani.charleston@everyonecounts.com>

Date: Fri, April 14, 2017 5:47 pm

To: Stephen Box <<u>stephen@empowerla.orq</u>>
Cc: elections <<u>elections@empowerla.orq</u>>

Hi Stephen,

So after talking about Mr. duplicate voter on the phone I went and ran another comparison to confirm there were no duplicate votes anywhere in the participation report and that they were not in the actual vote count.

I have discovered that 2 voters (presumably related - same last name, same IP address for both votes) voted in person on the 4th and then remotely via their email on the 5th. These duplicate votes ARE currently in the vote totals. They can, upon a recount, be excluded from the vote count - should you wish us to do a recount on the votes.

Voters: Guiti Alemzadeh and Mohammad Alemzadeh (highlighted in orange in the file)

To answer your earlier question, the number of votes (as you will see in the attached report) is 192 votes prior to 11:24am on the 31st of March. Please note that the file I am sending was exported from Central Time zone, and thus the times are reported in CT.

I will chat with our dev team to determine if we can tabulate the election results during a specific time period, but I am not sure we will be able to.

Best Regards,

Dani Charleston

Project Manager

Everyone Counts, Inc.

Leading Election Modernization

Phone: 402-880-9941

Email: dani.charleston@everyonecounts.com

Website: www.everyonecounts.com

1 February 15th, 2017 2 **Town Hall Meeting Hosted by DONE** 3 4 Video: https://www.youtube.com/watch?v=rvZFzKshxE4&feature=youtu.be 5 6 Mike Fong (2:55): Today's meeting is to talk about the Skid Row Neighborhood 7 Council subdivision process. And today's meeting will have an opportunity for questions 8 and answers. We'll also lay out the process and say how this will happen. And, tonight's 9 meeting is the first community meeting for the Skid Row Neighborhood Council 10 subdivision process. This is the first in a series of three meetings. The Department has 11 chosen to have three meetings in the community to make sure that folks are aware 12 about the next steps for the subdivision. 13 *** 14 Mike Fong (15:25): At this time we are going to talk about the process for the election. 15 Where do we go from here? The election itself will be done on Thursday April 6th and it 16 will be held somewhere within the Skid Row neighborhood boundaries of the proposed 17 neighborhood council, so it will be somewhere- it might possibly be in this room, but it will be somewhere within the proposed boundaries of the Skid Row neighborhood 18 19 council- that's the way that ordinance was written, and so that's the way the election will 20 be held. *** 21 22 **Town Hall attendee (28:43):** So, the last vote was online, is that going to be... 23 24 Stephen Box (28:46): No, so this is going to be, plan "A" is a paper ballot and so if this 25 were the polling place ideally, we'd enter though one door, exit through the other- there'd 26 be a clear zone so people could make it here without being pummeled by the yays and 27 nays. They would come in and they would fill out a single piece of paper, a registration

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```
1 | form and they would exchange it for a ballot and it's a simple ballot and we'll print it the
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- 2 | same language as we printed the election materials from the few neighborhood councils
- 3 | before so, for starters there will be English and Spanish- um, they'll get a ballot it's a
- 4 | simple yes or no- it takes a majority to win, which is greater than half. And then they'll
- 5 | cast their ballots, so there will be voting booths, they'll vote, they'll cast their ballot at the
- 6 | ballot box and they'll leave. So that would be ideal with an entrance and an exit- with a
- 7 | facility that's ADA compliant and has some, and is accessible—it needs to be within the
- 8 boundaries of the proposed- we're coming to you after the, of the proposed- so it needs to
- 9 be within the boundaries of the Skid Row Formation Committee's proposed map.
- (unintelligible from an attendee) What's that?
- 11 **Town Hall attendee (29:57):** Only one booth?
- 12 Stephen Box (29:56): One location.
- 13 ***
- 14 **Town Hall attendee (31:05):** Are homeless people going to be allowed to vote? Many
- 15 homeless people don't have documents.
- 16 **Stephen Box (31:10):** There is ah, an Asterix in the "live/work/own/participate"
- documentation requirements so there is an accommodation made for the fact that some
- 18 folks don't have um, documents and so that accommodation will be made and so that will
- 19 be addressed on, at the polling place.
- 20 ***
- 21 **Town Hall attendee (31:47):** Why not online?
- 22 **Stephen Box (31:48):** What's that?
- 23 **Town Hall attendee (31:49):** Why not online?
- 24 **Stephen Box (31:50):** So uh, good question, why not online? It's not too late to lobby
- your Councilmember. Plan "A" is paper because we don't have approval for online. If
- 26 online, if we were given permission, we would do online.
- 27 **Town Hall attendee (32:02):** Permission from who?

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- 1 | Stephen Box (32:03): Well, the City Council has to pay for it. They have to approve the
- 2 | money and the City Council of the City of Los Angeles would need to make a decision
- 3 | very quickly for us to have-open the online- ah, that's plan "B", but plan "B"- we don't
- 4 | have the funding our the permission...
- 5 | ***
- 6 Ann D'Amato (3D Networks & associated with Liner Law) (34:14): Why only one
- 7 polling place, if we really want to get everyone interesting and...
- 8 **Stephen Box (34:19):** Yeah, it's a capacity issue and I apologize, I think online voting
- 9 would be a tremendous ah, opportunity to overcome that barrier but we don't have the
- permission, we don't have the mechanism in place.
- 11 Ann D'Amato (34:32): What's the budget that the City Council would have to approve?
- 12 **Stephen Box (34:34):** I don't know how much it is, but if you wanna call your City
- Council member and say, "it'd be cool to have online voting", that's about all it would
- 14 take. Just for you to make that short sentence. Some are opposed, some are for it, and we
- 15 have something else to weigh in on but opinions matter and ah...
- 16 ***
- 17 Stephen Box (35:57): So, the locations is a resource issue, the online voting just needs
- 18 the approval of, the ah, City Council and ah, they got the report that was most recently
- 19 asked for and it depends on, yes Sir.
- 20 ***
- 21 **Town Hall attendee (58:00):** Can you add another voting day?
- 22 **Stephen Box (58:01):** What's that?
- 23 **Town Hall attendee (58:02):** Can you add another voting day?
- 24 **Stephen Box (58:03):** It'd be a great problem to have to resolve.
- 25 ***
- 26 **Stephen Box (58:25):** I think over the years we've had ah, many different locations um
- and, we were at 5th street at the coffee club, remember that? Whoo! That was, intimate.

Um, so we've ah- and then we had a theatre one year where it was like, man- it was like nothin' but room. **Town Hall attendee (58:41):** But it has to be within the Skid Row boundaries. **Stephen Box (58:43):** Yes, it has to be within the Skid Row. I appreciate the fact that your thinking good and hard... **Town Hall attendee (1:02:00):** Is there a way to register people before the election? **Stephen Box (1:02:03):** Yes, but you wont resister them with us, unless it's an organization because when they show up they are going to exchange that paper, OK? So, ah, the only pre-registration, if there were online voting, they could register online, ahead of time, but what you can do is get those rosters from those organizations that are active in the community, they still will have to walk-in that day with their personal ID to show who they are and to exchange it, yes Ma'am.

Call Us at (213) 978-1551 | EmpowerLA@LACity.org





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Many Los Angelenos are looking for ways to make a difference in their communities on the issues they care about most: crime, roads and streets, gangs and the economy. Neighborhood Council participants are empowered to advocate directly for real change in their communities. These Councils consist of residents, business owners, and property owners.

Local engagement is important because no one understands a neighborhood better than the people who live, work and play there. Neighborhood Councils are answering that need and strengthening democracy in Los Angeles by embracing and supporting the diversity of neighborhoods that comprise the City of Los Angeles.

Working together, Neighborhood Councils have generated success stories across the City – from community health clinics in Pico Union, to a greening strategy for Downtown, to addressing traffic and transportation issues in West LA.

Los Angelenos can get involved in EmpowerLA as much or as little as they like. From staying informed through our website, to attending local Neighborhood Council meetings, volunteering on Committees and/or running for a Board Member position, there's an engagement opportunity that meets everyone's needs and schedules.

As part of the Plan for a Citywide System of Neighborhood Councils, the Department of Neighborhood Empowerment's responsibility is to provide operational support to and facilitate the sharing of resources among Certified Neighborhood Councils, including but not limited to, meeting and office space, office equipment and mail and communications in order to communicate among constituents, Certified Neighborhood Councils, City Departments and governing officials.

Since the inception of the Plan for a Citywide System of Neighborhood Councils, the operational needs of Neighborhood Council's continues to evolve and thus the Department has provided a list of additional resources which include acquiring translation, hiring temporary help, funding guidelines and conducting outreach. Below we are providing Neighborhood Councils with valuable tools in their daily operations.

What are Neighborhood Councils?

Neighborhood Councils are city-certified local groups made up of people who live, work, own property or have some other connection to a neighborhood. Neighborhood Council Board Members are elected or selected to their positions by the neighborhoods themselves.

Neighborhood Council Board size various across the City from 7 to over 30 individuals depending on what the neighborhood believes will meet its needs. They hold regular meetings – at least one every three months. Many Councils hold meetings more often and have working committees as well.

Neighborhood Councils receive public funds of \$37,000 each year to support their activities. This may include creating events and programs that respond to the unique needs of their community or advocating on behalf of the issues they care about such as crime, roads and streets, the creation of safe spaces for children, gangs, and economic development. To learn more about Neighborhood Council success stories, click here.

Representatives from Neighborhood Councils:

Meet with the Mayor to discuss priorities in the annual development of the City budget, prior to its submittal and approval by City Council.

Receive advance notice of issues and projects that are important to them and their neighborhoods so they can understand, discuss them, and voice the opinions of the neighborhood to the City before final decisions are made.

Neighborhood Councils represent neighborhoods with a minimum population of 20,000 people. The average population represented by a Neighborhood Council is 38,000 people.

There are currently 96 Neighborhood Councils across Los Angeles with more in development. Councils must establish bylaws and go through the certification process with the Board of Neighborhood Commissioners and the Department of Neighborhood Empowerment before they can operate.

How to Form a Neighborhood Council?



Are you interested in forming a Neighborhood Council in your community? If so, we welcome your participation and look forward to working with you. If your neighborhood isn't represented by a Neighborhood Council, you and your interested community stakeholders will need to prepare an application to go before the Board of Neighborhood Commissioners for certification. A community stakeholder is defined as anyone "who lives, works or owns real property in the neighborhood and also to those who declare a stake in the neighborhood as a community interest stakeholder, defined as a person who affirms a substantial and ongoing participation within the neighborhood council's boundaries and who may be in a community organization such as, but not limited to, educational, non-profit and/or religious organizations."

The Neighborhood Council certification process takes between 6 months and a year depending on how much time you and other community stakeholders can dedicate.

Generally, the requirements for forming a Neighborhood Council include:

Having no less than 20,000 residents within the desired Neighborhood Council boundary though exceptions do apply.

Outreaching to the community to collect between 200 to 500 signatures from community stakeholders within the proposed Neighborhood Council boundaries.

Preparing the proposed Neighborhood Council bylaws.

Submitting the proposed Neighborhood Council financial accounting system.

Our staff will be happy to assist in the formation of your Neighborhood Council so please don't hesitate to contact us at (213) 978-1551 or email us at NCSupport@lacity.org.

Governing Documents

Because Neighborhood Councils are created by the Los Angeles City Charter, they are subject to many of the federal, state and local laws that govern other City departments. Every Neighborhood Council also has bylaws and other standing or procedural rules they follow, too. In addition, Neighborhood Councils must abide by laws preventing workplace violence, sexual harassment and discrimination.

The laws that apply to all Neighborhood Councils include the following:

Americans with Disabilities Act – A federal law designed to protect the rights of individuals with disabilities. Title II of the Americans with Disabilities Act (ADA) applies to the operations of state and local governments.

Brown Act – The Ralph M. Brown Act is a state law requiring open meetings from government agencies and applies to Neighborhood Council meetings.

Conflict of Interest Laws – Various state and city laws to ensure that government officials are free from bias caused by their own financial interest so they may act in an impartial manner.

Los Angeles City Charter – In 1999, the City Charter established the Neighborhood Council System and the Department of Neighborhood Empowerment which supports the Neighborhood Councils "to promote more citizen participation in government and make government more responsive to local needs…" Charter Section 900.

The Plan for a Citywide System of Neighborhood Councils – This Plan details the workings of the Neighborhood Council system.

Public Records Act – A state law providing the public access to government records. Neighborhood Councils must abide by a strict time line to respond to Public Records Act (PRA) requests.

Various local ordinances have also been enacted to establish the Neighborhood Council system.

Ordinance 172728 – Created the Department of Neighborhood Empowerment following the passage of the City Charter.

Ordinance 176704 – Established regulations to implement the Plan for a Citywide System of Neighborhood Councils.

Ordinance 173184 – Created the Department of Neighborhood Empowerment Fund.

Ordinance 175937 – Transferred the responsibility for leasing and renting office and meeting space for Neighborhood Councils from the Department of General Services to the Department of Neighborhood Empowerment, thereby streamlining the acquisition of space for Neighborhood Councils.

Ordinance 176477 – Exempts Neighborhood Councils from adopting a conflict of interest code and filing the Form 700 financial disclosure statements.

Best Practices

These Best Practices highlight the great work Neighborhood Councils do around the City and provide tips on how to replicate them in your neighborhood. Share your successful events with the rest of the Neighborhood Councils by contacting us at (213) 978-1551 or emailing NCSupport@lacity.org.

Addressing Traffic Concerns

Community Festival

Community Garden

Emergency Preparedness

Getting a Dash Line

Graffiti Reduction

Health Fair

Holiday Toy Giveaway

Increasing Parking

Leveraging Resource and Funding

Monitoring Potential Development

Neighborhood Council Collaboration

Neighborhood Council Newsletter

Working with Elementary Schools

Neighborhood Council Tools

EmpowerLA Leadership Academy: The EmpowerLA Leadership Institute is designed to help Neighborhood Council Board members and stakeholders within the community be more effective in making their voices heard and making a difference in their neighborhoods. Inspired by Carol Baker Tharp, past General Manager of the Department of Neighborhood Empowerment, the Institute provides opportunities to learn the information, hone the skills, and nurture the relationships that lead to success for Neighborhood Councils. Ms. Tharp maintained the belief that civic engagement is the cornerstone of democracy and that empowering individuals can empower neighborhoods and improve quality of life for all residents of the City of Los Angeles. Click here for more details.

Filing a Community Impact Statement – In mid-2003, the City began a new system through which Neighborhood Councils can adopt Community Impact Statements that summarize its

official position on City issues and have them printed directly on the meeting agendas. It's a unique and unprecedented way for each Neighborhood Council's voice to be known to the City Hall decision-makers and the world before a vote is taken. There are several ways to send Community Impact Statements to the City Clerk for inclusion on the agendas of the City Council, its committees, and City commissions. A paper version may be sent via postal mail, hand-delivery, fax or online at cityclerk.lacity.org/cis.

Early Notification System (ENS) is an on-line system where stakeholders can subscribe and receive meeting agendas and special events announcement sent to their e-mailbox. To start your subscription, click here.

EmpowerLA posts Neighborhood Council meeting agendas or a Neighborhood Council sponsored special event announcement on the City's website, please e-mail a copy of the document in Adobe Acrobat PDF format to: done.ncagendas@lacity.org. Please allow 7 business days to be posted. The Neighborhood Council is responsible for the document's content and accuracy. The NC agendas and NC sponsored special event announcements are available at https://lacity.org/ under "City Meetings & Agendas" and "City Events Calendar".

LA City Clerk Connect – LACityClerk Connect is a web service offered by the Office of the City Clerk where the Council File Management System (CFMS) is readily accessible. CFMS (formerly known as Council File Index) is a your online access to a comprehensive file index and management system with a summary and details of all legislation considered and/or acted upon by the Los Angeles City Council. It is also a subscription service where you can receive automatic e-mail notifications and RSS feeds when a Council File is updated. To start searching and viewing City Council legislative records, click here.

DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT

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